

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23589 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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ARVIND KUMAR Son of Prahlad Sah Resident of Village - Tengrari, P.S.-
Siwaipatti, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand,Advocate

For the Opposite Party/s : Ms.Meena Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner and Ms. Meena
Singh, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail
in connection with Excise Case No. 64 of 2020 arising out of P.R.
No. 06/2020 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
recovery of illicit liquor was allegedly made from a hut but the same
hut belongs to co-accused Pappu Shahi and not this petitioner. It is
his submission that the petitioner has been falsely implicated in this
case due to village politics.

On the other hand, learned APP for the State has opposed
the prayer for pre-arrest bail of the petitioner. It is submitted that in
the prosecution report, the petitioner has been specifically named and
the allegation against him is that he is engaged in illicit trade of



liquor. Learned counsel submits that the petitioner has got three criminal antecedents and even on this score he has not correctly stated about all the three cases in paragraph '3'.

Learned counsel for the petitioner, however, submits that he has disclosed the two criminal antecedents and it appears that inadvertently due to lack of information to the deponent of the affidavit he could not aware about the cases.

Having heard learned counsel for the petitioner and learned APP for the State, in the nature of the materials showing that the petitioner had indulged in illicit trade of liquor and that there are three criminal antecedents of similar nature, this Court having noticed that the petitioner has got involved in similar offences while enjoying the privilege of bail in the earlier cases, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer for anticipatory bail of the petitioner is, thus, refused.

In case the petitioner surrenders and prays for regular bail within a period of four weeks from today in the court below, his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order of this Court.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

