

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31202 of 2020**

Arising Out of PS. Case No.-131 Year-2020 Thana- AHYAPUR District- Muzaffarpur

SANJAY KUMAR Son of Shankar Paswan Resident of Village - Koluha  
Paigambarpur, P.S.- Ahiyapur, District - Muzaffarpur, Mobile no.-  
8709863284

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      08-02-2021                      Heard learned counsel for the petitioner and Mr. Ram  
Sevak Choudhary, learned A.P.P. for the State.

The petitioner in the present case is seeking pre-arrest  
bail in connection with Ahiyapur P.S. Case No. 131 of 2020  
registered for the offences punishable under Sections 272, 273,  
290 of the Indian Penal Code and Section 30(a) / 36 / 37(C) of  
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this  
case. Learned counsel submits that there is no recovery of illicit  
liquor from the conscious possession of the petitioner. It is  
submitted that this petitioner has no criminal antecedent.

Learned A.P.P. for the State is present and has  
opposed the prayer for anticipatory bail of the petitioner.



Having regard to the facts and circumstances of the case, wherein the petitioner is said to be the owner of the private car from which huge quantity of illicit liquor has been recovered, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer for anticipatory bail is thus refused.

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

The observation with regard to surrender in the court below within a period of four weeks from today shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

Rishi/-

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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'.

