

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38303 of 2020

Arising Out of PS. Case No.-9 Year-2012 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Ramesh Mukhiya Son of Late Methur Mukhiya Resident of Village -
Patpariya Basant Pur (Muran) P.S. - Motihari Muffasil, District- East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 25-10-2021 Heard the learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest for the
offences alleged under Section 47(A) of the Excise Act,
registered in connection with Excise Case No.09 of 2012 (Trial
No.92 of 2018).

Learned counsel for the petitioner has submitted that
this is a case of the year 2012 and, as such, Bihar Prohibition
and Excise Act, 2016 is not applicable. The anticipatory bail
petition accordingly is maintainable.

Admittedly, this is a case of the year 2012 and the
anticipatory bail petition has been filed in the year 2020 after a



lapse of eight years and due to absconding of the petitioner, it appears that the trial has been hampered for a pretty long time.

Learned counsel for the petitioner has submitted that he was not aware of the pendency of the proceeding, but the source has not been mentioned as to from where he got information about his case.

I do not think it a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is rejected.

(Nawneet Kumar Pandey, J)

HR/-

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