

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38151 of 2023

Arising Out of PS. Case No.-140 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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RAVIRANJAN KUMAR @ RAVI KUMAR @ JHALUR PATHAK S/O
LATE SASHIBHUSAN PATHAK @ PATALI PATHAK R/O
Village/Mohalla- Ambara Tej Singh, PS. Saraiya, Dist. Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
Excise Case No.140 of 2021, registered for the offence
punishable u/s 30(a) of the Bihar Prohibition & Excise Act.

3. Allegedly 12.375 litres of foreign liquor is said to have
been recovered from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has not been apprehended on the spot
nor any incriminating article has been recovered from his
conscious physical possession. He has no concern with the
recovery of the illicit liquor or any trade of liquor. There is no



compliance of section 100 of the Cr.P.C. and the said house is a joint family property of the petitioner and one side part of the house is broken and any one can easily enter the premises. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, since the recovery has been made from the house of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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