

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56791 of 2023

Arising Out of PS. Case No.-163 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Ravindra Rai @ Lallu @ Ravindra Kumar son of Ramnath Rai @ Birajan Rai
Village- Pakahi Bagi Ps- Maniyari Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Excise P.S. Case No. 163 of 2019, lodged on 29.10.2019 under
Section 30(a) of Bihar Prohibition & Excise Act.

3. As per prosecution case, total recovery of 414 liters
of illicit foreign liquor has been recovered, which is the subject
matter of the present case.

4. Learned counsel for the petitioner submits that
present is innocent and has committed no offence. He submits
that from the prepared seizure list, it transpires that the said
recovery has been made from an open field and not from the



conscious possession of the petitioner. Counsel fairly submits that the incident of the petitioner is not clean and there are three criminal antecedents pending against the petitioner and he is on bail in two case and in one case, he is persuading. Counsel submits that in the present case, petitioner has been remanded on 17.06.2023.

5. Learned counsel for the State opposes the prayer for bail and submitted that the incident of the petitioner is not clean and at the time of passing the order, incident of the petitioner may be taken into consideration.

6. In the present facts and circumstances, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner in connection with Excise P.S. Case No. 163 of 2019, pending before the learned Special Judge (Excise) Court No.II, Muzaffarpur is hereby rejected.

8. However, the petitioner would be at liberty to renew the prayer for bail after framing of charge. In the event, if the charge has already been framed, the petitioner is directed to be released on bail by the learned Court below by imposing its own condition so that the petitioner may not evade appearance on the date fixed.



9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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