

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38502 of 2024

Arising Out of PS. Case No.-246 Year-2020 Thana- MINAPUR District- Muzaffarpur

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Ravi Kumar SON OF Rambabu Singh Village- Kishunpur Urf Narawara,
Tariyani Chowk, Ps- Tariyani, Dist- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Minapur P.S. Case No. 246 of 2020 registered for the alleged offences under Sections 272, 273, 414, 120(B) and 34 of the Indian Penal Code and Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2018.

03. As per prosecution case, police received secret information about transportation of some illicit liquor being made by some persons in a four-wheeler. A raid was conducted and from the seized four-wheeler and other places, total 19.540 liters of India made foreign liquor was recovered. The apprehended co-accused, Raju Rai, disclosed the name of the petitioner for being involved in his business of illicit liquor.



04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No material has been collected during investigation to connect the petitioner with the alleged crime in question. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. Similarly placed co-accused persons have been granted privilege of anticipatory bail and regular bail by different Coordinate Benches and by this Court as well vide order dated 29.11.2021 passed in Cr. Misc. No. 20521 of 2021, order dated 25.02.2021 passed in Cr. Misc. No. 55620 of 2021 and order dated 15.10.2022 passed in Cr. Misc. No. 48529 of 2022, respectively. Learned counsel further submits that the petitioner is having criminal antecedent of three cases out of which in one case, he has been acquitted and in other two cases, he is on bail.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP further submits that the petitioner is a habitual offender and is having antecedent of similar nature of offence.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him, let the petitioner above



named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of earned Exclusive Special Excise Court No. 1, Muzaffarpur in connection with Minapur P.S. Case No. 246 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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