

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84538 of 2024

Arising Out of PS. Case No.-572 Year-2024 Thana- BAKHTIYARPUR District- Patna

Ranjeet Kumar Son of Ramji Saw Resident of Village- Naya tola, Madhopur,
PS- Bakhtiyarpur ,District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayashankar Mishra, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-12-2024 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Bakhtiyarpur Police Station Case No. 572 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the F.I.R., the police recovered a total quantity of 26.1 litres of English liquor from the rented cloth shop of the petitioner, however, the petitioner managed to flee away.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and no incriminating article and/or illicit liquor has been recovered from the conscious possession of the petitioner. The police



during search and seizure did not follow the provision contained in Section 103 of the Bhartiya Nagrik Suraksha Sanhita, 2023. The petitioner has got one criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation the fact that the petitioner has one criminal antecedent of similar nature of offence related to Excise Act as well as illicit liquor has been recovered from the shop of the petitioner accordingly as per Full Bench judgment of this Court passed in Cr. APP (SJ) No. 431 of 2019, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

7. However, if the petitioner surrenders before the court below and makes a prayer for regular bail, the court below may dispose it on the same day on its own merit without being prejudiced by the fact that the present anticipatory bail application has been rejected by this Court.

(Anil Kumar Sinha, J)

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