

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14527 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -JURAWNPUR District- VAISHALI(HAJIPUR)

1. Ranjeet Rai Son of Ramjee Rai Resident of village- Birpur, P.S. Jurawanpur, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Jurawanpur P.S.Case No. 5 of 2016 registered for offence punishable under Sections 272, 273, 308 of the Indian Penal Code and Section 47 (A) of the Excise Act.

The prosecution case as lodged on the basis of search by one Navin Kumar Singh, S.H.O., Jurawanpur on 12.02.2016 at about 6 P.M., who alleged that some people were doing illegal business of wine and on information he along with other police personnel proceeded for verification at village- Birpur and after seeing the police jeep some persons fled away and when police

party chased, they did not succeed. During course of raid, name of Ranjeet Rai come and in course of search of the house of the petitioner, 35 litres Mahua in Jurkin was recovered and seizure list was prepared.

Learned counsel for the petitioner submits that although it has been alleged that the said illegal wine have been seized from the house of the petitioner where other family members are living but the seizure list has not been signed by any of the family members as such, hit by Section 100 of the Cr. P. C. Learned counsel for the petitioner further submits that two independent witnesses have signed the seizure list.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case due to enmity and village politics and actually seizure list witnesses are also engaged in doing business of illegal wine.

However, learned A.P.P. for the State submits that 35 liters of illegal wine were recovered from the house of the petitioner.

Hence, prayer for bail stands rejected.

However, petitioner is at liberty to surrender before the Court of learned Additional Chief Judicial Magistrate-VIII, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 5

of 2016 within a period of six weeks from today and apply for bail which should be considered and disposed of in accordance with law preferably on the same day.

(Nilu Agrawal, J)

Sudha/-

U		T	
---	--	---	--