

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45666 of 2016

Arising Out of PS.Case No. -74 Year- 2016 Thana -KUTUMBA District- AURANGABAD

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Ranjit Kumar S/o Anil Kumar resident of Mohalla- Babu Ganj, P.S.-
Rafiganj, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Narendra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-11-2016 Heard both sides.

The petitioner apprehends his arrest in Kutumba P.S.
Case No. 74 of 2016 registered for the offences punishable under
Section 47(A) of the Excise Act.

The police intercepted the motorcycle but the
motorcyclist managed to flee away. On search, 56 pouches each
containing 200 ML country made liquor were recovered from the
motorcycle. The petitioner is the owner of the motorcycle.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the case. Small quantity
of country made liquor was recovered. The petitioner is resident of
Rafiganj which is far away from the place of occurrence.

Considering the facts that about 14 liters of country

made liquor was recovered from the motorcycle of the petitioner, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order and taking into consideration that small quantity of country made liquor was recovered and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

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