

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32623 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -PUSA District- SAMASTIPUR

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1. Ajeet Ram @ Ajeet Kumar Ram, son of Dhaneshwar Ram, resident of Village- Dharmagatpur Bathua, Tola Sadha, Police Station- Pusa, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Pusa P.S. Case No. 21 of 2017, registered for the offences punishable under Sections 273/34 of the I.P.C. and 30(A)/37(a), 37(d), 38(i), 41, 47 of the Bihar Prohibition and Excise Act, 2016.

According to the informant, the allegation against the petitioner is that one Rajiv Kumar, being apprehended by the police, has stated before the police that the liquor recovered from him had in fact been purchased by him from the petitioner.

Learned counsel for the petitioner submits that no recovery has been made either from the person of the petitioner or from his house or shop. It has been further stated that merely on the basis of statement of one accused Rajiv Kumar, the petitioner



is being sought to be implicated in the present case. It is submitted that the allegation against the petitioner is malafide and does not make out a case under the Bihar Prohibition and Excise Act, 2016, hence, the provisions of the aforesaid Act are not attracted in the present case.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to grant anticipatory bail to the petitioner.

Accordingly, let the abovenamed petitioner, in the event of his arrest or surrender in the Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Samastipur in connection with Pusa P.S. Case No. 21 of 2017 subject to the conditions enumerated under Section 438 (2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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