

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2634 of 2018

Arising Out of PS.Case No. -787 Year- 2017 Thana -AHIAPUR District- MUZAFFARPUR

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Ashish Ranjan S/o Arbind Thakur @ Arbind Kumar Thakur, R/o Mohalla-
Pandit Pakri, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary

For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Ahiyapur
P.S. Case no. 787 of 2017 registered under Sections 272, 273, of
the Indian Penal Code and Sections 30(a)/38(1)(II)/41/47 of
Bihar Prohibition and Excise Act-2016.

As per prosecution case, Anand Kumar and petitioner
were apprehended by the police and 166.740 lts. of foreign liquor
was recovered from the Scorpio vehicle of the petitioner which
as per statement of Anand Kumar was unloaded from the truck
standing near the National Highway. Thereafter, the informant
rushed at the aforesaid place and seized the aforesaid truck and
several lts. of foreign liquor loaded on the same and also



recovered and searched liquor from the house of several persons.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his conscious physical possession. The petitioner has no concern either with the aforesaid truck or the liquor loaded on the said truck or the seized liquor. Regarding the alleged recovery of 166.740 lts of foreign liquor from the Scorpio vehicle of the petitioner, on the statement of Anand Kumar, Muzaffarpur (Town) P.S. Case no. 694 of 2017 has been lodged against the petitioner and the petitioner has moved bail in the said case. Barring the aforesaid two cases, the petitioner has no other criminal antecedent. The petitioner has been languishing in custody since 31.10.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Ahiyapur P.S. Case no. 787 of 2017.

(Prakash Chandra Jaiswal, J)

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