

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46289 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- MALSALAMI District- Patna

Ranjeet Kumar Son of Prahlad Rai Resident of Village- Damrahi Ghat, Police Station- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Malsalami P.S. Case no. 206 of 2018 registered under Sections 272, 273 of I.P.C. and Sections 30(a) and 37(c) of Bihar Prohibition and Excise Act-2016.

22 lts. of country made liquor is said to have been recovered from garbage piled beside the house of the petitioner and he was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with place of recovery. The place of



recovery is open place and easily accessible to anyone. There is no compliance of Section 100 Cr.P.C. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 01.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Malsalami P.S. Case no. 206 of 2018.

(Prakash Chandra Jaiswal, J)

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