

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19920 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -MURLIGANJ District- MADHEPURA

=====

Ranjit Kumar Mukhiya @ Ranjeet Kumar Mukhiya, Son of Gulabchand Mukhiya Resident of Village- Kashipur Ward No. 01, P.S. Murliganj, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party : Mr. Bharat Lal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 28.800 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 28.800 liters wine is recovered from two different places. Out of which, 7.200 liters wine is said to



have been recovered from back side of house of the petitioner in abandoned state. The name of the petitioner has come on the basis of alleged recovery made from back side of house of the petitioner where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3rd, Madhepura, in connection with Murliganj P.S. Case No. 46/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)