

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49756 of 2018

Arising Out of PS.Case No. -103 Year- 2018 Thana -SAMSTIPUR RAIL P.S District-
SAMASTIPUR

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1. Ranjan Kumar @ Ranjan Sah, Son of Pradeep Sah, resident of Village
Hasanpur Bazar, Ward No. 5, P.S. Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 30(a), 38(i)(2), 41(i)(2), 47 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The name of
the petitioner has transpired on the basis of disclosure made by the
co-accused Tunish Paswan. Except for this, there is no other
substantive evidence to suggest the implication of the petitioner in



this case. It is alleged that 3 liters wine is recovered from the land situated at the back of the hotel in question. 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.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned 6th Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with GRPS Samastipur (Hasanpur) Rail P.S. Case No. 103 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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