

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4235 of 2018

Arising Out of PS.Case No. -187 Year- 2017 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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Ranjit Jaiswal @ Ranjit Kumar Jaiswal, S/o Late Yogendra Prasad Jaiswal
@ Gopal Jaiswal R/o Chhotki Patan Devi, P.S.- Chauk, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Binod Murari Mishra

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Mohiuddin Nagar P.S. Case No. 187 of 2017 registered for the offence punishable under Sections 30(a) and 38(1) of the Bihar Prohibition and Excise Act.

The allegation is regarding a raid having taken place at the hotel of the petitioner herein and from the said hotel, 7.740 liters of illicit liquor was recovered and two persons were apprehended from the said hotel who had disclosed that one Ramesh Rai used to sell liquor to them.

The learned counsel for the petitioner submits that though he is owner of the hotel but he has got no connection with day to day affairs and in fact the accused persons also admit that



the said illicit liquor belongs to them and was supplied by one Ramesh Rai, hence apparently the petitioner has got no complicity in the matter. The petitioner is stated to be having a clean antecedent. It is further submitted that no case appears to have been made out under the provisions of the Excise Act.

Having regard to the facts and circumstances of the case, more particularly the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-2nd -cum-Special Judge, Excise, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 187 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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