

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46856 of 2018**

Arising Out of PS.Case No. -129 Year- 2018 Thana -SIWAN MUFFASIL District- SIWAN

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Ranjai Kumar, S/o. Hardiya Nand Singh, R/o. Mohalla- Naya Tola,  
Pachaura, P.S.- Dhanauti, district- siwan.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Mukeshwar Dayal (APP)

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**  
**ORAL ORDER**

2      01-08-2018      Heard learned counsel for the petitioner and learned APP  
for the State.

On the request of learned counsel for the petitioner, he is  
permitted to correct data regarding custody in the bail petition.

The petitioner seeks bail in a case registered for the offence  
punishable under Sections 272 & 273 of the Indian Penal Code  
and Sections 30 (a), 38(1) and 41 of the Bihar Prohibition and  
Excise Act, 2016.

86.400 liters of foreign liquor is said to have been  
recovered from the motorcycle and petitioner and one another  
accused, namely, Prashant Kumar sitting on the said motorcycle  
were apprehended.

It is submitted by learned counsel for the petitioner that no  
incriminating article has been recovered from the conscious



physical possession of the petitioner. He has no concern either with the seized liquor or the motorcycle in question. As per prosecution case aforesaid liquor was recovered from the motorcycle but as per seizure list it was recovered from the ditch located towards East of the Hanuman Mandir, Village Kararua which creates serious doubt about prosecution case. He has been falsely implicated in this case by the police merely on suspicion while he was going on the motorcycle through the place of occurrence at the time of occurrence while the real culprit managed to escape dumping the aforesaid liquor there seeing the police party. He has no criminal antecedent and has been languishing in custody since 16.03.2018.

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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Siwan in connection with Siwan Muffasil P.S. Case No. 129 of 2018.

**(Prakash Chandra Jaiswal, J)**

Kr. Uday/-

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