

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.49523 of 2018**

Arising Out of PS.Case No. -325 Year- 2018 Thana -BODHGAYA District- GAYA

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Ranjit Kumar, son of Kapildeo Prasad, resident of Mohalla- Sahjanand  
Nagar Barmasia, P.S. Dhansar, District Dhanbad (Jharkhand).

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Mukesh Kumar, Advocate.

For the Opposite Party : Smt Indu Kumari Srivastava, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      10-08-2018                      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 Sections 272, 273, 120(B) of the IPC  
and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 891 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 891 liters wine is recovered from the  
Pick-up Van in question. The name of the petitioner has come on



the basis of seized Pick-up Van. The petitioner is alleged to be owner of the said vehicle. The Pick-up Van is run as a Public Carrier by the driver of the petitioner. 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 nature of goods booked by the Transporter. 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 Special Judge, (Excise Act), Gaya, in connection with Bodh Gaya P.S. Case No. 325 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**