

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26562 of 2018

Arising Out of PS. Case No.-339 Year-2017 Thana- MASAURHI District- Patna

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Ranjeet Yadav S/o Tipan Yadav, R/o Vill.- Badroi, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Babu, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP 138

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Special Case No. 5414 of 2017 arising out of Masaurhi P.S. Case No. 339 of 2017 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

1070 liters of foreign liquor is said to have been recovered from the canal located besides the bathan of the petitioner said to have been kept there by the petitioner and the petitioner was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious possession of the petitioner. He has no concern either



with the seized liquor or place of recovery or any trade of liquor. He has been falsely implicated by the informant, who is Station House Officer of the Police Station as the petitioner runs the business of tent and he refused to oblige the informant to provide him the tent material free of cost. Besides the aforesaid case the Station House Officer got the petitioner roped in two other cases under Excise Act after the case in hand. Petitioner was not apprehended at the spot. He has no criminal antecedent. He has been languishing in custody since 26.02.2018. Similarly situated co-accused, namely, Nitish Kumar, has been enlarged on bail by this Court vide order, dated, 23.01.2018, passed in Cr. Misc. No. 2390 of 2018.

Considering the facts, aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No. 5414 of 2017 arising out of Masaurhi P.S. Case No. 339 of 2017 to the satisfaction of the Special Judge, Excise, Patna.

(Prakash Chandra Jaiswal, J)

Shamshad/-

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