

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11473 of 2018

Arising Out of PS.Case No. -448 Year- 2017 Thana -RAMPUR District- GAYA

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Ranjit Kumar Mehta Son of Sri Prakash Mehta, Resident of Village-Silwar
Kala, P.O.-Jagarnathdham, Police-Station Muffassil, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 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 Rampur P.S. Case No.448 of 2017 registered

for the offence punishable under Section 30(a) of the Bihar

Prohibition Excise (Amendment) Act, 2016.

The allegation is regarding recovery of 141 litres

from a vehicle which was driven from Jharkhand and is said to

have been belonging to the petitioner herein.

The learned counsel for the petitioner submits that

though the vehicle belongs to the petitioner but the same was

taken on hire by the co-accused persons to bring tomatoes from

Jharkhand but instead it appears that they had brought liquor



from Jharkhand. It is further submitted that the petitioner is having clean antecedent and moreover, the provision of Section 100 Cr.P.C. has not been complied, hence the entire seizure list is itself doubtful.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under 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 Special Judge (Excise), Gaya in connection with Rampur P.S. Case No.448 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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