IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38561 of 2018

Arising Out of PS.Case No. -699 Year- 2017 Thana -SAMASTIPUR MUFFASIL District-SAMASTIPUR

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RANJEET RAI @ RANJEET KUMAR @ KOIRA, Son of Late Ram Gulam Rai, Resident of Village - Jitwarpur Nijamat Ward No. 7, Police Station - Muffasil, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Pramod Kumar Singh, Advocate.
For the Opposite Party : Mr. Indra Kumar Singh, APP 174

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-07-2018 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 30, 36, 38, 40 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 24.870 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 24.870 liters wine is recovered. Out of which, 13.620 liters wine is said to have been recovered by the side of the Railway boundary in abandoned state. The name of the petitioner has come on the

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basis of alleged recovery made by the side of the Railway boundary in abandoned state which is situated in front of house 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 alleged incident. 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 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur, District-Samastipur, in connection with Samastipur (Muffasil) P.S. Case No. 699 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./Abhijeet-

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(Sudhir Singh, J)

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