

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5924 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- PIRO District- Bhojpur

Ranjit Sah, aged about 35 years, Gender-Male, Son of Bharat Sah, Resident of village- Agiaon Bazar, P.S. Agiaon Bazar, District-Bhojpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sangeet Deokuliar, Advocate.
For the Opposite Party : Mr.Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 570.24 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 570.24 liters wine is recovered from two vehicles in question. None of the vehicles belongs to the petitioner. The name of the petitioner has come



on the basis of disclosure made by co-accused Raj Kumar Sah. 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 4th Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur, Ara, in connection with Excise Case No. 1200 of 2018, arising out of Piro P.S. Case No. 255 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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