

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9447 of 2019

Arising Out of PS. Case No.-179 Year-2017 Thana- BIBHUTIPUR District- Samastipur

Rakesh Ranjan, aged about 48 Years, Male, Son of Late Gaya Thakur, R/o village-Mishrauliy, P.S- Sakra, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jay Prakash Sharma, Advocate.
For the Opposite Party : Mr.Bharat Bhushan (App156)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 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 Sections 272, 273, 414 of the IPC, 38, 47 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 581.22 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 581.22 liters wine is recovered from eight vehicles in question. Out of which, 238.5 liters wine is said to have been recovered from Bolero Pick-up Van bearing Registration No. BR-33M/3677. The name of the



petitioner has come on the basis of said seized Pick-up Van. The petitioner is alleged to be owner of the said seized Pick-up Van. The 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 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 Additional Sessions Judge-IIIrd, Samastipur, in connection with Bibhutipur P.S. Case No. 179 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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