

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46516 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- SARAI RANJAN District- Samastipur

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RANJAN KUMAR SINGH @ MANORANJAN SINGH @ RANJAN SINGH
Son of Shambhu Singh Resident of Village - Manikpur, P.S.- Ghataho O.P.,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sarairanjan (Ghataho) Police Station Case No. 79 of 2019, disclosing offences under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

The allegation against the petitioner, as per the First Information Report, is that the Police, upon secret information that the petitioner is unloading illicit wine, reached near the place of occurrence and raided near the house of the petitioner and recovered 108 litres of illicit liquor from the field of one Rakesh Singh. The name of the petitioner has surfaced on the



basis of the secret information received by the Police.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has been falsely implicated by the Police merely on a secret information. He further submits that no recovery of illicit liquor has been made from either the premises of the petitioner or from his conscious possession. He further submits that from perusal of the First Information Report and the seizure list, no *prima facie* case is made out against this petitioner as the illicit liquor has been recovered from the field of one Rakesh Singh.

After having heard learned Counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered either from the premises of the petitioner or from his conscious possession, as such, on perusal of the First Information Report and seizure list, in my opinion, no *prima facie* case is made out against the petitioner under the provision of the Act. Accordingly, this application is allowed.

Let the petitioner, Ranjan Kumar Singh @ Ranjan Singh @ Manoranjan Singh, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned 2nd Additional Sessions Judge -cum- Special Judge,
Excise, Samastipur, in connection with Sarairanjan (Ghataho)
Police Station Case No. 79 of 2019, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall
present himself before the police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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