

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47462 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- MUFFASIL District- Aurangabad

RANJEET @ KAIL PASWAN Son of Nandlal Paswan Resident of Village-
Khaira Sarim, P.S.- Aurangabad Muffasil, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mrs. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 The petitioner apprehends his arrest in connection with Aurangabad Muffasil P.S. Case No. 137 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred to as the 'Act').

Allegation against the petitioner is that police, upon secret information that petitioner kept illicit liquor behind his *Dalan*, arrived there and upon seeing the police, one person fled away from the place of occurrence. The police recovered in total 2.200 litres illicit liquor from behind the *Dalan* of the petitioner and the name of the petitioner has been disclosed by the Chaukidar of the Police.

Mr. Gagandeo Yadav, learned counsel for the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated in this case due to village politics. He further submits that recovery of illicit liquor has been made from behind the *Dalan* of the petitioner and not from the place inside



the house or premises of the petitioner. He further submits that a very small quantity of liquor allegedly has been recovered by the police in which petitioner has been dragged with oblique motive. He, thus, submits that from perusal of FIR as well as seizure list, no *prima facie* case under the Act is made out against the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has been recovered from the backside of the *Dalan* and not from the premises or inside the house of the petitioner, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 137 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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