

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50777 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- JADOPUR District- Gopalganj

=====

Ranjeet Singh @ Ranjeet Kumar Son of Ramayan Singh @ Ramayan Ray
Resident of Village - Daleya, P.S.- Kuchaikote, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Opposite Party/s : Mrs. Suman Kumari Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Jadipur P.S. Case No. 52 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition & Excise
Act-2016.

Three named accused persons are said to have been
unloading the liquor from a truck. Out of them one co-accused,
namely, Karan Singh was apprehended while other two accused
persons managed to escape seeing the police party. Said
apprehended accused disclosed the name of the petitioner as his
one of the fleeing accomplices and 192 lts. of foreign liquor was
seized from the place of occurrence.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. Petitioner has no concern either with the seized liquor or with the vehicle in question or with any trade of liquor. There is nothing on record indicating complicity of the petitioner in the occurrence barring confessional statement of apprehended accused Karan Singh due to animosity, which has no evidentiary value in the eye of law, hence, no offence under Excise Act is made out against the petitioner. There is violation of Section 100 Cr.P.C. Petitioner has no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-II-cum-Special Judge (Excise), Gopalganj in connection with Jadopur P.S. Case No. 52 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

