

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19037 of 2020

Arising Out of PS. Case No.-215 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Ranjeet Kumar son of Chhote Lal Ray, resident of village Satpura, Police Station Sakra, District Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Madan Prasad Singh No. 2, Adv.

For the Opposite Party/s : Dr. Mritunjaya Kr. Gautam, APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Excise Case No. 215 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on secret information having been received, a raid was conducted and it is stated that the item described in the seizure list ie a total of about 83 bottles containing 94.140 litres of IMFL was recovered from the Bolero pickup vehicle while the same was parked in the Bathan of co-accused Kamlesh Rai.

It is submitted by learned counsel for the petitioner that the petitioner had sold the said pickup van on 21.11.2017 to



the aforesaid Kamlesh Rai which would be evident from the sale agreement on a non-judicial stamp paper, Annexure-2 to the petition. It is further submitted that the petitioner has no concern with the said vehicle ever since the date of agreement dated 21.11.2017. The petitioner has been falsely implicated in this case only for the reason that the said vehicle is still registered in the name of the petitioner. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State who submitted that the application for anticipatory bail is not maintainable in view of the full bench judgment of this Court.

Having heard learned counsel for the parties and taking into consideration the facts of the case, in view of the fact that the pickup vehicle from which the aforesaid 84 bottles of different brands of IMFL were recovered from the vehicle which is registered in the name of the petitioner, the Court is not inclined to enlarge the petitioner on anticipatory bail. The application for anticipatory bail stands rejected.

However, if the petitioner surrenders within eight weeks and prays for regular bail, the same shall be considered by the learned Court below without being prejudiced by this



order of rejection.

(Partha Sarthy, J)

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