

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77204 of 2019

Arising Out of PS. Case No.-150 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. SITA RAM SINGH @ SITA RAM SHARMA Son of Late Badri Singh Resident of Village- Mahajpura, P.S.- Bikram, District- Patna.
 2. Rangdar Singh @ Radheshyam Singh @ Radheshyam Sharma Son of Late Badri Singh Resident of Village- Mahajpura, P.S.- Bikram, District- Patna.
 3. Madan Singh Son of Late Badri Singh Resident of Village- Mahajpura, P.S.- Bikram, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar
For the Opposite Party/s : Mr. Kanhaiya Kishore, App

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 30(a), 32(i), 32(3), 41(1) and 41(2) of Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on receiving secret information, raid was conducted in the Poultry Farm being run by one Ravi Ranjan Kumar and 1710 litres of IMFL was recovered.

It is submitted by learned counsel for the petitioners



that so far as these three petitioners are concerned, they are the owners of the land which was leased out to the aforesaid Ravi Ranjan Kumar, on which he is running the Poultry Farm and from which the alleged recovery is said to have taken place. It is further submitted that from the prosecution report itself, it would be evident that these three petitioners have leased out the said piece of land to Ravi Ranjan Kumar for a period of 26 years. Thus, it is submitted that from the prosecution report itself, it transpires that the petitioners have no concern with the recovered liquor or with the business of Ravi Ranjan Kumar. It is further submitted that the petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances of the case, the contents of the prosecution report from which it transpires that the petitioners are the owners of the piece of land, which was leased out to Ravi Ranjan Kumar on which Poultry Farm is being run and from which alleged recovery has taken place and also that the petitioners have no criminal antecedent, the Court is inclined to enlarge the



petitioners on bail. The petitioners, above named, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Excise Special Case No.6327 of 2019, arising out of P.R. No.150 of 2019 are directed to be enlarged on bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna, subject to the conditions as laid down in section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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