

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85976 of 2019

Arising Out of PS. Case No.-249 Year-2019 Thana- SHEKHPURA District- Sheikhpura

RANJAN KUMAR Son of Naresh Chaudhary @ Naresh Choudhary Resident
of Village- Jamalpur Bigha, P.S.- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sheikhpura PS case no. 249 of 2019 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 55 liters of illicit liquor from the co-accused persons. It is further alleged that the motorcycle being used in transporting the illicit liquor, belongs to the petitioner herein, hence the name of the petitioner has transpired in the present case, although he is not named in the F.I.R.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that though the illicit liquor has been recovered from the conscious possession of



co-accused person namely Naresh Chaudhary but no recovery has been made from the conscious possession of the petitioner herein, hence provisions of Bihar Prohibition and Excise Act, 2016 are not attracted in the present case.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner coupled with the fact that prima facie, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act, 2016, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. District & Sessions Judge, Sheikhpura in connection with Sheikhpura PS case no. 249 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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