

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26729 of 2021

Arising Out of PS. Case No.-179 Year-2020 Thana- RAJAOLI District- Nawada

1. Jasu Rana @ Yaswant Kumar Rana, aged about 36 years, Male, Son of Sitaram Rana, Resident of Village - Megha Tari Dibaur (Adars Mohalla), P.S. and District - Koderma.
2. Chhotu Rana @ Ramashish Rana, aged about 34 years, Male, Son of Sitaram Rana, Resident of Village - Megha Tari Dibaur (Adars Mohalla), P.S. and District - Koderma.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Pankaj Kumar, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of petitioner no. 1, namely, Jasu Rana @ Yaswant Kumar Ran, as he has been taken into judicial custody in connection with Rajauli P.S. Case No. 179/20, pending in the court of learned Additional Sessions Judge-II-cum-Special Judge, Nawada.

Permission is accorded.

Accordingly, the present anticipatory bail application



filed on behalf of petitioner no. 1 Jasu Rana @ Yaswant Kumar Rana is dismissed as withdrawn.

Heard learned counsel for the petitioner no. 2 and learned counsel for the State through virtual mode.

Now, the petitioner no. 2 is apprehending his arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 15.375 liters wine is recovered from the Motorcycle in question.

It has been submitted by learned counsel for the petitioner no. 2 that he has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against him. He has falsely been implicated in the present case. It is alleged that total 12 liters wine is recovered from the Motorcycle in question. The Motorcycle in question does not belong to him. His name has transpired in the present case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest his implication in this case. Nothing incriminating has been recovered from his conscious possession. He had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the



petitioner no. 2 is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner no. 2 above named, (except petitioner no. 1 Jasu Rana @ Yaswant Kumar Rana) in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Nawada, in connection with Rajauli P.S. Case No. 179/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner no. 2 shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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