

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18429 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- DIGHA District- Patna

=====

RANJIT KUMAR S/o Late Baijnath Saw Resident of Gate No. 95, Bans
Kothi, P.S.- Digha, District- Patna Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 12-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Digha P.S. Case no. 27 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 21.780 litres of IMFL was recovered from a tempo and the driver and one of the occupants namely Kundan Kumar were taken into custody.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case only for the reason that he happens to be the registered owner of the said tempo. It is further submitted that it is correct that he is the registered owner of the vehicle and gives it to the driver Rahul Kumar who runs the same and pays certain amount at the end of the day. It is submitted that a supplementary affidavit has been filed with respect to his antecedent. The earlier erroneous



statement had been made for the reason that the 75 year old mother of the petitioner who is an illiterate lady was not aware about the petitioner's antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner was neither arrested at the spot and has been implicated in the case only for the reason that he happens to be the registered owner, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Digha P.S. Case no. 27 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

