

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38854 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- CHANDI District- Bhojpur

Ranjit Kumar @ Nathu, aged about 27 years, Male, Son of Rajendra Yadav,
Resident of Village- Chandi, P.S. Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. A. Shamsi, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 28-10-2021 Heard Mr. N.A. Shamsi, learned counsel appearing
on behalf of the petitioner and Ms. Asha Devi, learned counsel
appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Chandi P.S. Case No. 13 of 2020, dated 01.02.2020
registered for offence punishable under Section 37 (C) of the
Bihar Excise (Amendment) Act, 2018.

The prosecution case in brief is that on the basis of
written statement dated 01.02.2020, ASI of Chandi PS while on
petrolling duty some altercation took place between two groups.
One Chandan Kumar lodged a case against two persons namely,
Ranjit Kumar (petitioner) and Pramod Kumar. They were
apprehended and breath analysis was conducted.

Learned counsel appearing on behalf of the petitioner



submits that due to altercation with Chandan Kumar with police officials has implicated this petitioner in a false case. He submits that breath analysis report has also been conducted on the spot. He further submits that breath analysis report has not been prepared in the presence of the petitioner as the same do not contain the signature of the petitioner which prove the fact that it has been prepared behind the back just to implicate the petitioner in the false case.

Learned counsel appearing on behalf of the State opposes the prayer for grant of anticipatory bail of the petitioner.

Considering the facts and circumstances of the case and the allegation made in the FIR as well as breath analysis report, this court is inclined to grant anticipatory bail to the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the Court below within four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, (Excise) Bhojpur at Ara in connection with



Chandi P.S. Case No. 13 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Purnendu Singh, J.)

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