

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53318 of 2023

Arising Out of PS. Case No.-352 Year-2023 Thana- MANER District- Patna

Ranjit Kumar, S/O Dr Dasrath Rai R/O Village- Byapur, Ps. Maner, Dist.
Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the allegation
is of recovery of 68.55 litres of liquor from the cowshed of the
petitioner.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated at the instance of Chaukidar with whom he is on an
inimical term. It is next submitted that no doubt, the cowshed
belongs to the petitioner, but then, it is a place outside the house
and is accessible to villagers at large. It is further submitted that no



prudent person would use his own premises for committing an illegality and thus, would create evidence against himself and hence, would get implicated. It is also submitted that the cowshed is a joint family property, as such, it cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the cowshed or the liquor kept in the cowshed was within his knowledge, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Danapur, Patna in connection with Maner P. S. Case No.352 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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