

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71163 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- JAIPUR District- Banka

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RANJIT KUMAR YADAV @ RANJEET KUMAR YADAV @ RAJIV KUMAR YADAV SON OF SHANKAR YADAV RESIDENT OF VILLAGE- GANESH TOLA KASI ARRAH, POST- FULLI DUMAR, PS- FULLI DUMAR, DIST- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jaipur Police Station Case No. 44 of 2023, dated 15.06.2023, disclosing offences under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.
3. The prosecution case, as per the First Information Report, is that one motorcycle, bearing Registration No. JH17E-2001, was intercepted, from where 49.5 liters of illicit liquor has been recovered and the person, driving the motorcycle, succeeded in fleeing away. The petitioner is the owner of the motorcycle.
4. Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and the petitioner is having no criminal antecedent. He next submits that at the time of the seizure of illicit liquor as well as motorcycle, the petitioner was not driving the same. He next submits that the petitioner had purchased the motorcycle, in question, in the year 2015, in which, one Manoj Yadav was the guarantor and it was agreed that the petitioner would pay interest @ 3 % per annum, but the petitioner defaulted in the repayment of the loan and the motorcycle was forcibly taken by the guarantor Manoj Yadav.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the defence of the petitioner and the fact that the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II,



Banka, in connection with Jaipur Police Station Case No.
44 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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