

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21396 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

Ranjan Kumar Yadav @ Ranjan Rai @ Ranjay Rai S/O- Krishna Rai R/O-
Village- Ghoghraha, P.S.- Mohammadpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 520 litres of raw spirit from a boat at the bank of a
river near the house of one Umesh Rai.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even alleged
recovery is from a place which is accessible to public at large
and does not belong to the petitioner and petitioner is not the
owner of the boat from which the alleged spirit was recovered
and he came to be implicated at the instance of *Chowkidar* with



whom he is on an inimical term. It is also submitted that in majority of the cases, the police is implicating the accused persons through Chowkidar or local people but then submits that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police earlier to institute the FIR which further casts aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mohammadpur P.S. Case No. 31 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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