

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81227 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- PALASI District- Araria

Ranjeet Yadav @ Ranjeet Kr. Yadav @ Ranjeet ku. yadav @ Ranjeet Kumar
Son of Mangla Yadav @ Baleshwar Vishwas R/O Vill.- Matiyatol, Ward no.
9, P.S.- Palasi, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Palasi P.S. Case No. 274 of 2024 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act and Sections 20(b), (II)(c), 22(b) of the NDPS Act.

3. The prosecution case, in short, is that total 5.1 litres
of Nepali liquor has been recovered from the house of this
petitioner. In this case, 4.8 litres of codeine rich syrup has also
been recovered from the house of the co-accused.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from outside the house of the petitioner. Learned counsel further submitted that the alleged contraband has been recovered from the house of the co-accused Ranjit Kumar Sah. The petitioner has neither concern with the alleged recovery of liquor nor with the recovery of contraband. The co-accused person has already been granted regular bail by this Bench vide order dated 23.10.2024 passed in Cr. Misc. No. 75956 of 2024. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the alleged recovery being made from the house of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail is rejected.

7. However, liberty is granted to petitioner to surrender before the learned court below and seek regular bail.

(Rudra Prakash Mishra, J)

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