

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14115 of 2019

Arising Out of PS. Case No.-677 Year-2018 Thana- SHERGHATI District- Gaya

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RANJAN KUMAR SHARMA, aged about 25 years (male), son of Lalan Sharma @ Lalan Thakur, resident of village-Chiraila, P.S. Muffasil, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vinod Kumar, Advocate
	:	Mr. Ashutosh Singh, Advocate
For the Opposite Party/s	:	Mr.Gauri Shankar Gupta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-03-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 22.12.2018 in connection with Sherghati P.S.Case No.677 of 2018 for the offence alleged under Sections 30(d) of the Bihar Excise Act, 2016.

The prosecution case as lodged by the Excise Officials is that on secret information that a truck of which the petitioner was a driver, was intercepted and from the truck 6000 kg of Mahua flower and 440 kg paddy was recovered. Accordingly, a seizure list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that he was the just driver of the said truck, not being the owner and the Mahua flower is also used as fodder for animals. He further submits that one of the co-accused on similar allegation has been granted the privilege of bail in Cr.Misc.No.12625 of 2019 dated 05.03.2019. The petitioner undertakes to cooperate in the investigation and not to tamper with the evidence or prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Sherghati P.S.Case No.677 of 2018 to the satisfaction of learned Special Judge Excise, Gaya, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to move the
learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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