

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15797 of 2020**

Arising Out of PS. Case No.-12 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

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RANVIJAY KUMAR RAJ, Son of Ram Kumar Singh, Resident of Village -
Salpha, P.S.- Dumjur, District- Howrah (West Bengal), Permanent address
Resident of Village - Karhatia, Paharpur, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

4 15-06-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred the present application
with a prayer for grant of bail in a case registered for the
offences punishable under Sections 30(a), 32(3) Bihar
Prohibition and Excise Act, 2016, as amended by Amendment
Act 8 of 2018 (hereinafter referred to as 'the Act').

The prosecution case as per the written report of
Kumar Dhananjay, Inspector of Excise submitted before the
learned Additional District & Sessions Judge 2nd -cum- Special
Judge, Excise, Madhubani is to the effect that a secret



information was received that by a golden brown coloured truck, the liquor is being transported. Consequently, the truck was intercepted and from the truck in question, 980 litres of Indian Made Foreign liquor were recovered. The petitioner, being the driver of the truck in question along with other co-accused, Sukesh Kumar Singh @ Sonu, who was found sitting in the said truck, were apprehended.

It is submitted by learned counsel for the petitioner that the petitioner being the driver of the truck in question was not aware about the liquor being loaded in the truck. In fact, the liquor belongs to co-accused, Sukesh Kumar Singh @ Sonu, who has been granted bail vide order 03.03.2020 dated passed in Criminal Miscellaneous No. 14748 of 2020. The petitioner is languishing in custody since 21.01.2020 and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from a truck being driven by this petitioner and he was apprehended from the place of seizure.

Considering the fact that the recovery has been made from the truck which was being driven by the petitioner,



period under custody, co-accused being granted bail by a Co-ordinate bench of this Court, the investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional District & Sessions Judge 2nd -cum- Special Judge, Excise, Madhubani, in connection with G.O. Case No.12 of 2020.

However, in view of the present pandemic, COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 2nd -cum- Special Judge, Excise, Madhubani, in connection with G.O. Case No.12 of



2020.

The learned Court below will further be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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