

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20989 of 2021**

Arising Out of PS. Case No.-298 Year-2020 Thana- UCHKAGAON District- Gopalganj

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RANJEET YADAV @ RANJIT YADAV SON OF RAMESH CHAUDHARY
RESIDENT OF VILLAGE- DAHIBHATTA AHIR TOLA, P.S.-
UCHKAGAON, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Uchkagaon P.S. Case No.298/2020 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

the prosecution story in brief is that in course of patrolling the informant received a secret information that one Ranjeet Kumar (petitioner) was indulged in sale of illicit liquor from his tempo. On receiving this information the informant reached at the house of petitioner and saw that one tempo was

standing in front of his house and on seeing the police party one person succeeded to flee away from the tempo. It is further alleged that in presence of two independent witnesses the tempo was searched and total 60.200 liters of illicit liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the petitioner is neither driver nor owner of the tempo and he has no concern with the alleged recovery of illicit liquor. It is submitted that the petitioner is in custody since 02.01.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner is neither driver nor owner of the tempo, the petitioner is in custody since 02.01.2020, in one case stated in paragraph '3' he is said to be on bail, investigation against him is complete but the trial is not likely to take place in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Uchkagaon P.S. Case No.298/2020, subject to the condition as laid

down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.