

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23317 of 2021**

Arising Out of PS. Case No.-3 Year-2021 Thana- FESHAR District- Aurangabad

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Raju Ranjan Kumar, S/O Birendra Singh, R/O Village-Imamganj (BEL Tola),
P.S.-OBRA, District-Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Bakshi S.R.P. Sinha, Sr. Advocate Mr. Prem Ranjan Kumar, Advocate
For the Opposite Party/s :		Mr.Md. Aslam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-09-2021 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 Senior Counsel for the petitioner and
Mr. Parmanand Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Phesar P.S. Case No. 03 of 2021 registered for the offence punishable under Section 30 (a) of Bihar Prohibition Excise Act, 2018.

As per the prosecution story, while the informant was on patrolling duty he received a secret information that at Supreme Bel Road a Bolero was seen loaded with illicit liquor. On receiving this information he reached at the given place and

searched the said vehicle from which 292.500 litres of illicit liquor was recovered.

Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned Senior Counsel submits that nothing has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 09.01.2021 having no criminal antecedent.

Mr. Parmanand Kumar, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned Senior Counsel for the petitioner that the petitioner has been arrested from his house but has been falsely implicated saying that he was arrested with the vehicle in question and from the said vehicle 292.500 litres of wine has been recovered, the submission that the petitioner has got no criminal antecedent and has remained in custody since 09.01.2021, in the circumstances, this Court directs release of the petitioner above named 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, Aurangabad in connection with
Phesar P.S. Case No. 03 of 2021 , subject to the condition as laid
down under Section 437 (3) Cr.P.C.

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)

vats/-

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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'.