

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38152 of 2021

Arising Out of PS. Case No.-237 Year-2021 Thana- FATUA District- Patna

Abhishek Ranjan S/O Ajit Prasad, R/O Kila Road, Patna City, P.S.- Chowk
Patna City, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Fatuha
P.S. Case No.237 of 2021 corresponding to Special Case
No.2499 of 2021 registered for the offence punishable under
Sections 30(a)/56(c) of the Bihar Prohibition and Excise Act,
2016.

720 litres illicit liquor has allegedly been recovered
from a Bolero pick-up and the persons apprehended at the spot
have stated that the same belonged to Navin Rai. The petitioner
along with two others has been arrested at the house of the said
Navin Rai.

Counsel for the petitioner submits that implication
of the petitioner, under such circumstances as having any nexus



with the recovery in question, is factually and legally unsustainable and farfetched. The petitioner has no antecedents and under such circumstances, he is in custody since 28.03.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Fatuha P.S. Case No.237 of 2021 corresponding to Special Case No.2499 of 2021, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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