

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2367 of 2022

Arising Out of PS. Case No.-116 Year-2021 Thana- VIDYAPATINAGAR District-
Samastipur

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RANJAN KUMAR Son of Kamal Choudhary Resident of Village- Bajidpur,
P.S.- Vidyapati Nagar, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Adv
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

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

The petitioner seeks bail in a case registered for the
offence under Section 30(a) of Bihar Prohibition and Excise
Act.

Recovery is of 15.375 liters of liquor.

Learned counsel for the petitioner submits that
petitioner, who is of clean antecedent, has falsely been
implicated in the present case only on the basis of suspicion. He
further submits that it appears from the FIR as well as seizure



list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the Baramda of house of the petitioner which is an open place and the common people may reach there and the police, after investigation, submitted chargesheet against the petitioner. The petitioner is in custody since 10.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Vidyapati Nagar P.S. Case No. 116 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



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.

(Rajesh Kumar Verma, J)

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