

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17172 of 2022**

Arising Out of PS. Case No.-14 Year-2022 Thana- PANAPUR District- Saran

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Roop Ranjan Ram S/O Bhikhar Ram R/o village- Gamhari, P.S.- Baikunthpur,  
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      08-07-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Panapur  
P.S. Case No. 14 of 2022 registered for the offence under  
Sections 30, 30(a), 38 and 41 of Bihar Prohibition and Excise  
Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 18.02.2022.

The allegation against the petitioner is to involve in  
the illegal business of illicit liquor, where 1200 liters of liquor  
was recovered.

Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner surfaced on the basis of disclosure made by co-accused, namely, Nitish Kumar Singh and Rajesh Nat. It is submitted that alleged recovery is from open place, '*Diyara*' (open bank area of a river) and it is in no way connected with the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that recovery is from open place.

Considering the facts and circumstances as mentioned above, as recovery is not from conscious physical possession of the petitioner, who is a man of clean antecedent, rather same is from open place coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Panapur P.S. Case No. 14 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2<sup>nd</sup> Exclusive Special Excise Court, Saran at Chapra, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Bhola Kumar Ram, who is the brother of the petitioner and deponent of the present bail petition.”

**(Chandra Shekhar Jha, J)**

Ankit/-

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