

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21771 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- NARDIGANJ District- Nawada

Ranjit Rajwanshi Son of Bhola Rajwanshi Resident of Village- Rajiv Nagar,
Police Station- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

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 Nardiganj
P.S. Case No. 300 of 2021 registered for the offence under
Sections 30(a), 30(d) and 41 of Bihar Prohibition and Excise
(Amendment) Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.12.2021.

The allegation against the petitioner is to involve in
the illegal manufacturing and trading of illicit liquor, where
there is recovery of 60 liters of Mahua liquor and other utensils
alleged to be used in the manufacturing of illicit liquor.



Learned counsel appearing on behalf of the petitioner submitted that the recovery of alleged illicit liquor is from open place of government land and petitioner was not apprehended at the spot. It is submitted that the name of the petitioner involved in this case merely on the basis of suspicion and nothing surfaced during the course of investigation, which may connect the petitioner with alleged occurrence. 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 the recovery is from the open field, as per F.I.R.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent 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 Nardiganj P.S. Case No. 300 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Exclusive Special Excise Judge-II,
Nawada, 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
Nipul Devi, who is the wife of the petitioner
and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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