

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22583 of 2022

Arising Out of PS. Case No.-266 Year-2019 Thana- WAJIRGANJ District- Gaya

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Ranjeet Kumar @ Bade, S/o Jageshwar Ram @ Rajeshwar Prasad @
jageshwar Prasad, R/o village- Wazirganj Bazar, Lohani Gali, P.S.- Wazirganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from the date of
resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Wazirganj P.S. Case No. 266 of 2019 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2018.

As per prosecution case, house of the petitioner was
raided and 6.375 litres of India made foreign liquor was
recovered from below a vacant shelf found in shops.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his possession and he has been named in this case merely on suspicion. The petitioner has no concern with the alleged occurrence and even the said recovery made from the house, which is a joint family property. Learned counsel further submits that the petitioner has got three cases pending against him and he is on bail in two such cases. The petitioner is in custody since 09.12.2021 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is accused in three such cases.

Having regard to the submissions made hereinabove and considering the fact that nothing has been recovered from the conscious possession of this petitioner and the petitioner was not apprehended from the spot and further considering the submission of charge-sheet along with the period of his custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Gaya, in connection with



Wazirganj P.S. Case No. 266 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be Sanjit Kumar, brother of the petitioner, who has sworn the affidavit.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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