

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22635 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- INDUSTRIAL AREA District- Vaishali

RANJIT RAI @ RANJEET KUMAR RAY SON OF RAM PUKAR RAI
RESIDENT OF VILLAGE- PAKAHA, P.S- MARHOWRAH, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 02-08-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Hajipur Industrial Area P.S. Case No. 83 of 2021 registered for the offences punishable under Sections 272, 273 and 120(B) of the I.P.C. and Sections 30(a), 33, 36 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, there is alleged recovery of 5712 litres spirit from the truck in question. The petitioner is alleged to be the member of Syndicate involved in the trade of illegal liquor.

Learned counsel for the petitioner submits that



petitioner is in custody since 27.01.2022 and bears criminal antecedent of two cases of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing is recovered from the conscious of the petitioner and he has falsely been implicated in this case. The petitioner was not apprehended on the spot. The name of the petitioner has sprang up by the apprehended co-accused person.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, the petitioner was not apprehended on the spot, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge I cum Special Judge, Vaishali, Hajipur in connection with Hajipur Industrial Area P.S. Case No. 83 of 2021, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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