

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24561 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- KAHALGAON District- Bhagalpur

Rajesh Kumar Ranjan @ Rajesh Rajak Son Of Shyam Chandra Rajak
Resident Of Village - Baratad @ Badatad, P.S.- Devdar @ Deoghar, District -
Godda (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Kahalgaon (Ghogha) P.S.Case No. 98 of 2022 for the
offences punishable under Sections 30(a) of the Bihar
Prohibition & Excise Act 2016.

As per the prosecution case, it is alleged that while the
police party was conducted vehicle checking, intercepted Desire
Car bearing registration no. JH-01N-7772 and on search being
made altogether 151.5 liters country made foreign liquor was



recovered. It is further alleged that petitioner was arrested from the car.

It is submitted by the learned counsel for the petitioner that petitioner was driver of the alleged seized car and in fact , petitioner was not aware as to what was loaded in the car by the consignor. It is further submitted that there are various infirmities in the preparation of seizure list and moreover there is no independent witness to the alleged occurrence. It is next submitted that this petitioner is in custody since 10.02.2022. It is lastly submitted that investigation of the crime is already completed and the charge sheet has been submitted. Petitioner also gives under taking that he will co-operate in the trial till its conclusion.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is driver of the car and the seized liquor does not belong to him and he is in custody since 10.02.2022, though investigation has already been concluded and the charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Special Judge
Excise 1st, Bhagalpur in connection with Kahalgaon (Ghogha)
P.S Case no. 98 of 2022 subject to the condition that one of the
bailors will be the close relatives of the petitioner with further
conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the
trial.

(ii) He will remain present on each and every date of
trial till disposal of the case.

(iii) He will not try to tamper with the evidence or
intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates
without any cogent reason, his bail bonds will liable to be
cancelled.

(Harish Kumar, J)

N.K/-

U		T	
---	--	---	--

