

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34243 of 2021

Arising Out of PS. Case No.-277 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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RANJIT KUMAR S/O SRI DINESH SINGH R/O MOHALLA-KURJI
BUJURG DIGHA, P.S-DIGHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul
		Mr. Abhinay Raj
For the Opposite Party/s	:	Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Special Case No. 1248 of 2021, arising out of Digha P.R. Police Station Case No. 277 of 2021, registered for the offences punishable under Sections 30(a) (b) of the Bihar Prohibition and Excise Act, 2016 and Sections 8(c)/20(b)/22(b)/23(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information that the petitioner along with other co-accused persons, is engaged in the sale of illicit liquor, proceeded towards the place of occurrence and recovered 7.42 litres of illicit liquor from a



hotel, which was closed and also recovered 500 gms. of ganja from the counter of the said hotel.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. He further submits that the petitioner has got no criminal antecedent of similar nature, i.e. he is not an accused in any case registered for the offences under the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985, and ganja, which has been recovered from the counter of the hotel, is not of commercial quantity. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioner; rather he has been found in drunken condition. He next submits that the petitioner is in custody since 19.02.2021 and charge sheet has been submitted against the petitioner and, as such, there is no likelihood of the petitioner being abscond or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent of similar nature, ganja recovered from the hotel is less than the commercial quantity, charge sheet



has already been submitted and the petitioner is in custody since 19.02.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 1248 of 2021, arising out of Digha P.R. Police Station Case No. 277 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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