

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27463 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- PAROO District- Muzaffarpur

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RANJIT KUMAR Son of Hira Lal Sah Resident of Village- Mohjamma, P.S.-
Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard Mr. Bhavesh Kumar, learned counsel for the
petitioner as well as learned Additional Public Prosecutor for the
State through video conference.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Paroo P. S. Case No. 26 of 2022
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise (Amendment) Act.

As per the prosecution case, it is alleged that the
Police, on a secret information, conducted a raid and from the
field of Cauliflower behind a general departmental shop, total



35 litres illicit Desi Chulai wine was recovered. It is further alleged that on noticing the Police, the petitioner started to flee away, however, he was apprehended.

Learned counsel appearing on behalf of the petitioner submitted that in fact, nothing has been recovered from the person or possession of this petitioner rather the recovery has been made from a field of Cauliflower situated behind general departmental shop, which does not belong to the petitioner and only because of his one criminal antecedent, his name has been implicated in this case. It is next submitted that the petitioner is in custody since 18.01.2022 and the investigation of the crime is already completed and the charge sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application.

Having considered the submissions made on behalf of the parties and taking into account the fact that the recovery has been made from a field of cauliflower, which is accessible to all and this petitioner is in custody since 18.01.2022 and the investigation of the crime is already completed and the charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No. II, Muzaffarpur in connection with Paroo P. S. Case No. 26 of 2022, subject to the condition that one of the bailors will be the close relative 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.
- (v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds



in terms of the above-mentioned order shall not
be delayed for purpose of or in the name of
verification.

(Harish Kumar, J)

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