

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28589 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- ARWAL District- Jehanabad

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RANJAN KUMAR S/o Late Baidhnath Ray R/o village- Parsa Mirzapur,
P.S.- Parsa, District- Saran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Giri

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-08-2022 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 Arwal
P.S. Case No. 77/2022 registered for the offences punishable
under Sections 30(a)/ 41 of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

As per prosecution case, there is alleged recovery of
total 87.375 liters foreign liquor from car in question. The
petitioner was apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession



of the petitioner. He further submits that the petitioner is neither concerned with the alleged liquor nor concerned with the said car in question. The petitioner is driver of the said car and he has no knowledge about seized liquor. The petitioner is languishing in custody since 26.02.2022 and bears no criminal antecedent. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond 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, Jehanabad in connection with Arwal P.S. Case No. 77/2022, 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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