

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30960 of 2022

Arising Out of PS. Case No.-488 Year-2020 Thana- SAKRA District- Muzaffarpur

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RANJEET KUMAR @ RANJEET RAI S/o Jagdish Rai R/o Sabaha, P.S.-
Sakra, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Binod Kumar

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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 Sakra

P.S. Case No. 488 of 2020 registered for the offences punishable

under Sections 30(a), 38 of the Bihar Prohibition and Excise

Act.

As per prosecution case, there is alleged recovery

of 45 litres foreign liquor has been recovered from asbestos shed

of petitioner.

Learned counsel for the petitioner submits that

petitioner is in custody since 16.04.2022. Petitioner bears one

criminal antecedent of similar nature. Charge sheet has already



been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the conscious possession or from the house of the petitioner. Petitioner is not apprehended on spot. Learned counsel further submits that from the impugned order and F.I.R. it is clear that wine has been recovered and seized from the place near the house of petitioner.

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

Considering the facts and circumstances of the case as well as period of custody, petitioner is not apprehended on spot, charge-sheet has already been submitted 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 Exclusive Special Excise Court No. 1, Muzaffarpur in connection with Sakra P.S. Case No. 488 of 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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