

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40137 of 2021**

Arising Out of PS. Case No.-284 Year-2021 Thana- SAKRA District- Muzaffarpur

Shashi Ranjan Kumar Son Of Satya Narayan Prasad Resident Of Village
Keshopur, P.S. Sakra, Dist. Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nityanand, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-02-2022 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms.
Sangeeta Sharma, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Sakra P.S. Case No. 284 of 2021
registered for the offences punishable under Sections 411, 414
of the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act, 2016. He is in custody since 19.05.2021. The
petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant got information that this
petitioner is involved in trade of illicit liquor and has kept the



same in his Gomati. On this information, the informant along with other police officials reached there and on seeing the police party three persons started fleeing away but on chase this petitioner was apprehended. On search of the said Gomti, total 141.855 liters of illicit liquor was recovered and from a motorcycle 1.080 liters of illicit liquor was recovered.

Learned counsel for the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no recovery from the conscious possession of the petitioner. The petitioner has remained in custody since 19.05.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the fact that the petitioner has remained in custody in connection with this case since 19.05.2021, investigation against him is complete and he has otherwise no criminal antecedent, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Sakra P.S. Case No. 284 of 2021, subject to the conditions as laid



down under Section 437(3) Cr.P.C.

And further condition that 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 cancellation 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

