

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29755 of 2022

Arising Out of PS. Case No.-243 Year-2019 Thana- SONEPUR District- Saran

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Ranjeet Rai Son of Late Yamuna Rai R/O- Vill- Sabbalpur Hasti Tola, P.S.-
Sonepur Dist.- Saran (CHAPRA).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Asha Kumari

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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 Sonepur
P.S. Case No. 243/2019 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per prosecution case, there is alleged recovery of
total 562.23 liters English wine from the house of the petitioner.
The petitioner was not apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner was not apprehended on the spot and nothing



has been recovered from the conscious possession of the petitioner. The seized liquor were recovered from the joint house of the petitioner. He further submits that the seizure list has not been prepared as per law. The petitioner is languishing in custody since 09.03.2022 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, petitioner was not apprehended on the spot, 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 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Sonapur P.S. Case No. 243/2019, 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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