

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31852 of 2022**

Arising Out of PS. Case No.-22 Year-2022 Thana- KURSAILA District- Katihar

Ranjit Sah

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party : Mr. Md. Iftekhar Mahmood, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-11-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in the Virtual Court proceeding.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act 2018.

Recovery is of 10 liters of country made liquor.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during the investigation on the ground that the petitioner is the owner of the seized motorcycle in question. He further submits that in fact the petitioner has



already sold the motorcycle in question to one Devilal Hembram on 26.09.2021 (Annexure-2). Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner and the petitioner has no concern at all with the alleged recovery of motorcycle or liquor in question.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond or Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kursela P.S. Case No. 22 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court



below.

2. 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.

3. 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.

(Rajesh Kumar Verma, J)

sandeep/-

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

