

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.43611 of 2021**

Arising Out of PS. Case No.-203 Year-2021 Thana- DARIYAPUR District- Saran

Ranjit Rai @ Ranjit Kumar Rai @ Ranjeet Kumar Ray Son of Ram Pukar Rai  
R/O- Pawha @ Pakaha, P.S.- Marhowrah, Dist.- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH  
ORAL ORDER**

2      10-01-2022                      Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and the learned APP for the State.

Petitioner who is in custody since 3.7.2021 seeks  
regular bail in connection with Dariyapur P.S. Case No. 203 of  
2021 registered for the offence punishable under sections 372,  
373, 420 and 120(B) of the Indian Penal Code and Section  
30(a), 33, 36, 41(i) of Bihar Prohibition and Excise Act, 2018.

Prosecution case in brief is that on getting secret  
information about huge quantity of spirit, raid was conducted by  
the officials of the Excise Department and altogether 5200 illicit  
spirit was recovered from the truck bearing registration no.  
BR-06G9379.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner has been made accused in the present case on the basis of confessional statement of co-accused Pramod Kumar, the driver of the said vehicle and no recovery was made in presence of the petitioner. He was neither handed over the seizure list nor it was prepared in his presence. Learned counsel further submits that since the petitioner has been made accused in similar case, he has been roped in the present case as well. He further submits that the petitioner is owner of a fertilizer shop and he has no concern with the seized truck or the liquor.

The petitioner is in custody since 3.7.2021.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner and has submitted that the petitioner is a habitual offender, having two criminal antecedents and as such he does not deserve for grant of bail.

Having considered the facts and circumstances of the case, possibly false implication, as is so alleged by the petitioner, no corroborative evidence recorded by the police prima facie also, it appears no case is made out against the petitioner recovery is from the truck bearing BR-06G9379 which do not belong to the petitioner, the petitioner above named is directed to be enlarged on bail on furnishing bail bond



of Rs. 3,00,000/- (Three lakh) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd cum Special Judge Excise or concerned court, Saran, in connection with Dariyapur P.S. Case No. 203 of 2021 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

Ravi/-

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