

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50686 of 2021**

Arising Out of PS. Case No.-159 Year-2021 Thana- AHYAPUR District- Muzaffarpur

RAJESH RANJAN @ TUNNA SINGH S/O Late Hari Narayan Singh R/o  
village- Khodarpur, P.S.- Madhuban, District- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Preety Kunwar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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

5      18-05-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with  
Ahiyapur P.S. Case No. 159 of 2021, for the offence punishable  
under Section 30 (c) of the Bihar Prohibition and Excise Act,  
Section 20/22 of the Narcotic Drugs Psychotropic Substances  
Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation against the petitioner is that one  
country made pistol, one live cartridge, one old iron made  
pistol, 500 grams of Marijuana kept in a plastic bag, a pouch  
sealing machine and several illicit articles were recovered from  
the rented house of the petitioner. Altogether four accused



persons were named in the F.I.R. Accordingly, seizure-list was prepared and handed over to the petitioner.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has committed no offence as alleged. He has been falsely implicated in this case merely on suspicion. Neither the petitioner was apprehended at the spot nor any incriminating article was recovered from his possession. He further submits that similarly situated co-accused Sandeep Kumar Chaudhary @ Sandeep Chaudhary and Santosh Sah have already been released on bail vide order dated 05.05.2022 passed in Criminal Miscellaneous No. 48907 of 2021 and order dated 23.03.2022 passed in Criminal Miscellaneous No. 48219 of 2021. He is in custody since 11.06.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and allegation made in the F.I.R. as



well as period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. One Lakh with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Muzaffarpur in connection with Ahiyapur P.S. Case No. 159 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 co-operate 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.

**(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this**



**order will automatically loose its force.**

**(Purnendu Singh, J)**

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