

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42256 of 2022

Arising Out of PS. Case No.-62 Year-2022 Thana- JHANJHARPUR District- Madhubani

RANJAN KUMAR Son of Sheshnath Prasad Resident of Village - Kanhauli,
Ward No. -1, Nagar Panchayat, Jhanjharpur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-09-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Awadhesh Kumar Singh, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State through video conference.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Jhanjharpur P. S. Case No. 62 of 2022 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

As per the prosecution case, it is alleged that the police, on a secret information, raided the house of the petitioner and on search, total 1134 litres Nepali country-made liquor was recovered from the house and garage of the petitioner. It is



further alleged that the petitioner and his brother were apprehended.

Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery has been made from a joint residential house, where several persons reside and the petitioner cannot be held responsible for the same. It is also submitted that the brother of the petitioner, who was also apprehended along with the petitioner has already been granted bail by learned coordinate Bench of this Hon'ble Court in Cr. Misc. No. 29431 of 2022 vide order dated 21.07.2022. It is further submitted that the petitioner, having fair antecedent, is in custody since 04.04.2022 and after completion of the investigation, charge sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and taking into account the fact that the alleged recovery has been made from a joint residential house and the another co-accused persons having identical allegation has already been granted bail by learned coordinate Bench of this Hon'ble Court and the petitioner having fair antecedent, is in custody since 04.04.2022, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Jhanjharpur (Madhubani) in connection with Jhanjharpur P. S. Case No. 62 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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