

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53044 of 2021

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

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RANJEET PRASAD @ RANJEET KUMAR S/o- MAHENDRA PRASAD
Resident of Village- Kasma, P.S.- Barkattha, District- Hazaribagah,
Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal
For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Nawada Town
P.S. Case No. 602 of 2020 registered for the offences
punishable under Sections 30(a), 30(d), 30(g), 33, 41, 52 of the
Bihar Prohibition and Excise Act, 2016.

There is recovery of 5000 litres of illicit spirit from a
truck.

Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Petitioner is not named in the FIR and he has falsely been implicated in the present case. It appears from the FIR itself that nothing has been recovered from conscious possession of the petitioner rather the alleged recovery has been made from truck in question. Petitioner is in custody since 05.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II cum Special Judge, Excise, Nawada in connection with Nawada Town P.S. Case No. 602 of 2020, subject to the following conditions:-

1. Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

2. 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.

3. 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.

4. 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)

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