

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45631 of 2022

Arising Out of PS. Case No.-146 Year-2021 Thana- NIRMALI District- Supaul

Ranjit Yadav Son Of Bhutay Yadav R/O Village- Rasuar Kyotapatti, P.S.-
Supaul Nadi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and
learned APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with S.T. No. 1046 of 2021 (Excise) arising out of
Nirmali P.S. Case No. 146 of 2021 registered for the alleged
offences under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

Allegedly, recovery of total 1464 litres of India
made foreign liquor was made from an orchard which was being
unloaded from the truck. The local people named the petitioner
along with other co-accused persons for being involved in the
illicit trade of liquor, as they had fled away from the spot.



The learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and nothing has been recovered from his conscious possession. The petitioner has no concern with the orchard from where the liquor was recovered. The petitioner is in custody since 03.02.2022 and charge-sheet has been submitted. Similarly, placed co-accused persons Sravan Kumar has been granted bail vide order dated 01.11.2021 and another co-accused Pankaj Kumar has been granted bail by order dated 24.12.2021 and other co-accused Kamlesh Yadav has been granted bail vide order dated 22.07.2022 in S.T. No. 1046 of 2021.

Learned APP opposes the prayer for bail.

Having regard to the submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from him and considering his period of custody and the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned In-Charge Special Judge-2 Excise-cum-Sessions Judge, Supaul in connection with S.T. No. 1046 of 2021 (Excise) arising out of Nirmali P.S. Case No. 146



of 2021, subject to the other conditions under Section 437(3) of the Cr.P.C. and following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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