

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45620 of 2022

Arising Out of PS. Case No.-356 Year-2021 Thana- NAGAR District- Vaishali

Rajeev Ranjan @ Ranjan Kumar, Son of Chunchun Rai, Resident of Village -
Malipur Raminder, P.s.- Hajipur town, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, 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 Hajipur Town P.S. Case No. 356 of 2021
registered for the alleged offences under Sections 30(a), 30(2)
and 38(ii) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

As per prosecution case, recovery of total 425.85
litres of India made foreign liquor was made from Tata Magic
vehicle and the petitioner was named by the co-accused
Niranjan Kumar, who was apprehended from the spot and he
stated that the petitioner made the vehicle available for the



transportation of the liquor and he got the liquor loaded on the vehicle.

The learned counsel for the petitioner submits that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession merely on the basis of confessional statement of co-accused, he has been named in this case. The petitioner is neither the owner nor the driver of the vehicle from which the recovery has been made. The petitioner is in custody since 28.04.2022 and charge-sheet has been submitted

Learned APP opposes the prayer for bail.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and further considering his clean antecedent and the submission of charge-sheet along with his period of custody, 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 Additional District & Sessions Judge-II-cum-Special Judge, Excise, Vaishali, Hajipur in connection with Hajipur Town P.S. Case No. 356 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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