

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59015 of 2021**

Arising Out of PS. Case No.-114 Year-2021 Thana- AMBA District- Aurangabad

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RANJIT KUMAR S/o LATE RAGHUPAT CHAUDHARY R/o VILLAGE-
JOGIYA, P.S-BARUN, DISTRICT-AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh

For the Opposite Party/s : Mrs.Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 04-02-2022 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 Amba P.S.

Case No. 114/ 2021 registered for the offences punishable

under Sections 279, 337, 338, 307, 120B of the IPC and 30(a) of

Bihar Prohibition and Excise Amendment Act, 2018.

There is recovery of 330 litres of illicit country made

liquor from a Santro Car. It is also alleged that Santro Car

dashed the police vehicle causing injury to the police team.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from Santro Car in question. He further submits that petitioner is neither owner nor driver of the said car. He further submits that petitioner was not driving the said car at the time of occurrence and as such Sections 279, 337, 338, 307, 120B of IPC are not applicable against the petitioner. Petitioner is in custody since 18.08.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail.

Considering the aforesaid facts and circumstances, 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, Aurangabad in connection with Amba P.S. Case No. 114/ 2021, subject to the following conditions:-

1. 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.

2. 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.

3. 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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