

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52220 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- NAVINAGAR District- Aurangabad

Ranjit Kumar @ Ranjit Chaudhary @ Golden Chaudhary Son Of Mahesh Chaudhary, R/O Village- Janakpur, Nabingar, P.S.- Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-11-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Nabinagar P.S. Case No. 128 of 2022, G.R. No. 381 of 2022 lodged under Section 30(a) of Bihar Excise & Prohibition (Amendment) Act, 2018.

As per prosecution case, the recovery of 18 liter of country made liquor has been made from the possession of the petitioner, for which the name of the petitioner has figured in the present case.

Learned counsel for the petitioner submits that alleged

recovery was made not from the house of the petitioner rather he was made from the abandon place in front of the house (*khapra ka ghar*) of the petitioner. Counsel further submits that petitioner is in custody since 25.06.2022 and charge sheet has already been filed in this case. There are 3 criminal antecedents against the petitioner and he is on bail in one case and in rest 2 cases, he is persuading for bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-Ist, Aurangabad in connection with Nabinagar P.S. Case No. 128 of 2022, G.R. No. 381 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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