

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52781 of 2022

Arising Out of PS. Case No.-250 Year-2022 Thana- VAISHALI District- Vaishali

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RANJEET RAM @ RANJIT RAM Son of Late Budhan Ram @ Dukhan Ram
R/V- Bedauli, P.S- Vaishali (Balsor O.P), Dist- Vaishali @ Hajipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-10-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks bail in connection with Vaishali
(Belsar O.P.) P.S. Case No. 250/2022 registered for the offences
punishable under Sections 30(a), 41(1) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

As per prosecution case, there is alleged recovery of
total 414.72 liters foreign liquor from Bolero Pick-up vehicle in
question. The petitioner and others were not apprehended on the
spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. The petitioner is languishing in custody since 20.07.2022 and bears no criminal antecedent. The petitioner was not apprehended on the spot and no incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is owner of the said pick-up vehicle and he has no knowledge of wine loaded on his vehicle because seized vehicle was driven by the driver, Ranjan Singh. He further submits that seizure list has not been prepared as per law and there is no compliance of Section 100 Cr.P.C.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner is not apprehended on the spot and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No.-II, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 250/2022, subject to following conditions:-

- (i) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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