

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54176 of 2022

Arising Out of PS. Case No.-200 Year-2022 Thana- NAUBATPUR District- Patna

Ranjeet Yadav @ Ranjit Kumar, S/O Sri Ambika Yadav @ Ambika Gop,
Resident of village- Tarwan, P.S.- Naubatpur, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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 Naubatpur P.S. Case No. 200 of 2022 registered
for the alleged offences under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act.

As per prosecution case, police received informant
about petitioner indulging in trade of illicit liquor. A raid was
conducted at the identified place and a person fled away from a
nearby hut. The locals disclosed the name of this petitioner as
the person who fled away from the hut. On search of this hut
total 35 litres of country made *mahua* liquor was recovered.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. There is no independent witness on the seizure list and the said list has been made in complete violation of the mandatory provision of law. Petitioner has no concern with the allegedly recovered illicit liquor. No material has come up against this petitioner during investigation. The petitioner is in custody since 01.06.2022 and the charge-sheet has been submitted in this case. Though this petitioner is accused in a number of cases but he is on bail in all such cases.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and accused in a number of cases.

Having regard to the facts and circumstances and 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 period of custody along with 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 Special Excise Judge Danapur (Patna) in connection with Naubatpur P.S. Case No. 200 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the 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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