

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66799 of 2021

Arising Out of PS. Case No.-132 Year-2021 Thana- PANCHRUKHI District- Siwan

Saleem Rangrej @ Saleem Mohammad Rangrej Son of Jamaludin Rangrej
Resident of Village - Nath Kuj Ke Pass, P.S.- Banera , Tahsil Baneda, Distt.-
Bhilwara, State of Rajasthan 311401

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with
Pachrukhi (Sarai) P.S. Case No. 132 of 2021 under section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, the police found a
Trolley bearing registration No. RJ09-GA-6999 parked in the
petrol pump campus with no one present there. Later, in the
presence of independent witnesses, the Trolley was searched
and altogether 8536.320 liters of speed whisky was
recovered/seized. The Trolley was registered in the name of this
petitioner. As such, FIR was lodged against him and later he was
arrested from his native State, Rajasthan.

Learned counsel for the petitioner submits that he is



owner of the vehicle and the Trolley is used for transportation of items from one State to another State. He had no knowledge that the liquor which is banned in Bihar was being transported on the Trolley. He further submits that he is in custody since 27.9.2021 and if granted the privilege of bail, he will abide by all terms and conditions and will face trial on each and every date, failing which his bail bond will be cancelled.

Taking into account the aforesaid facts as also that charge-sheet stands submitted and the petitioner is in custody since 27.9.2021 (as stated in para-12 of the bail application), this Court is inclined to grant him the privilege of bail with strict conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 2,00,000/- (two lakh) with two sureties of like amount each to the satisfaction of learned Special Judge Excise Act, Patna, in connection with Pachrukhi (Sarai) P.S. Case No. 132 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner while the other will be native of Bihar, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every month for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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