

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56231 of 2022

Arising Out of PS. Case No.-231 Year-2020 Thana- PAROO District- Muzaffarpur

Ranjeet Kumar @ Ranjeet Rai, Son of Binda Rai, Resident of village -
Damodarpur, P.S.- Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 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 Paroo P.S. Case No. 231 of 2020 registered for
the alleged offences under Sections 30 and 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, petitioner and other co-
accused persons were unloading and selling illicit liquor. A raid
was conducted and from the lead in front of the house of the co-
accused Ajay Rai, a Mahindra Supro vehicle, an Activa scooty
and total 3435.865 litres of India made foreign liquor were
recovered. None of the miscreants could be apprehended.



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. The petitioner is neither the owner nor the driver of the vehicles in question. The petitioner has no concern either with the place from where the recovery has been made or the recovered illicit liquor. Except for suspicion, there is nothing on record to connect the petitioner with the offence as alleged. Similarly placed co-accused persons, namely Mukesh Rai, Sanjay Sah and Ajay Rai have been granted bail by different Co-ordinate Benches of this Court vide order dated 16.02.2022 passed in Cr. Misc. No. 52072 of 2021, order dated 25.04.2022 passed in Cr. Misc. No. 49214 of 2021 and order dated 16.09.2022 passed in Cr. Misc. No. 48082 of 2022. The petitioner is in custody since 06.08.2022 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and further considering the period of custody of the petitioner as



well as submission of charge-sheet against him, 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 Judge, Excise Court No.-II, Muzaffarpur in connection with Paroo P.S. Case No. 231 of 2020, 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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