

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60291 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- GOPALPUR District- Gopalganj

Ranjan Kumar Son of Kailash Mandal Resident of Village - Kamarthu, P.S. -
Gaighat, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saptashwa Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Gopalpur P.S. Case No. 158 of 2022 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise(Amendment) Act, 2018.

As per prosecution case, police received information about smuggling of illicit liquor on four-wheeler from Uttar Pradesh to Bihar. A checking of vehicles was started and two four-wheelers were intercepted. On one of the four-wheelers, this petitioner was found seated along with other co-accused person. From the vehicle of the petitioner 129.600 litres of India made foreign liquor was recovered and from another vehicle 45.180 litres of India made foreign liquor was recovered.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of this petitioner. Recovery has been shown from the backside of the Scorpio vehicle. The petitioner has no concern with either with the other co-accused persons or with the allegedly seized articles. The petitioner is in custody since 15.07.2022 and charge-sheet has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail submitting that from the vehicle in which the petitioner was seated, recovery of 129.600 litres of India made foreign liquor was made.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and also considering the period of the custody of the petitioner along with the 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 Court of Additional Sessions Judge-IV-cum-Exclusive Special Excise Court No.II, Gopalganj in



connection with Gopalpur P.S. Case No. 158 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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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