

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72518 of 2021**

Arising Out of PS. Case No.-179 Year-2021 Thana- KUTUMBA District- Aurangabad

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ALOK RANJAN Son of Shambhu Sharan Singh Resident of Village -  
Tamasi, Police Station - Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-02-2022                      Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

The present case has been taken up out of turn  
considering the fact that the wife of the petitioner has been  
referred to B.H.U, Varanasi for better treatment.

The petitioner, who is in custody since 03.11.2021,  
seeks regular bail in connection with Kutumba P.S. Case No.  
179 of 2021, for the offence punishable under Sections 30(a) of  
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 144  
litres of Indian Made Foreign Liquor was recovered from the  
Swift Dezire Car bearing registration No. DL-12C-4159.



Learned counsel appearing on behalf of the petitioner submits that the said vehicle from which the alleged recovery of illicit liquor has been effected is registered in name of Amit Kumar Tiwari, son of Vijay Tiwari, resident of village-Kutumba, P.S. Kutumba, District-Aurangabad, the petitioner was apprehended near the place of recovery of the illicit liquor mere on suspicion. The petitioner is in custody since 03.11.2021, the petitioner has clean antecedent as such he may be released on bail.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case, prima facie, it appears that nothing has been recovered from the conscious possession of the petitioner, the alleged recovery of illicit liquor has been made from the vehicle belonging to co-accused Amit Kumar Tiwari, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two



sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum- Special Judge, Excise, Aurangabad in connection with Kutumba P.S. Case No. 179 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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