

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64535 of 2022

Arising Out of PS. Case No.-112 Year-2017 Thana- SASARAM NAGAR District- Rohtas

Ran Bahadur @ Ran Vijay Singh Son of Dinesh Singh R/O Vill.- Sonvarsha,
P.S.- Kargahar, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Singh, Advocate
For the State	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Sasaram (Model) P.S. Case No. 112 of 2017 registered for the offence under Section 420 of the Indian Penal Code and Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is not named in the F.I.R. and is in custody since 05.09.2022.

The allegation against the petitioner is to be involved



in illegal trading of illicit liquor, where 2581.920 liters of illicit foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of the co-accused person, namely, Chandan Kumar, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 42334 of 2017 dated 07.11.2017 and, admittedly, this is not a case of recovery of alleged illicit liquor from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that investigation in this case is complete, for which chargesheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor not appears to be made from conscious physical possession of the petitioner coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sasaram (Model) P.S. Case No. 112 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Exclusive Special Excise Court No.2-cum-Additional District
and Sessions Judge, Rohtas at Sasaram/concerned Court, subject
to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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