

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16046 of 2023

Arising Out of PS. Case No.-708 Year-2022 Thana- FATUA District- Patna

RANJIT KUMAR Son of Late Nanhak Singh R/o Railway Yard, Shisa Mil,
P.S.- Fatuha, Dist- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
28.09.2022 in connection with Fatuha P.S. Case No. 708 of
2022, F.I.R. dated 28.09.2022 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

Recovery is of total 100 liters of Mahua wine from the
house of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has



been made from joint house of the petitioner and the entire family have been made accused in the present case. He further submits that petitioner has no concern at all with the alleged recovery of illicit liquor and similarly situated co-accused persons namely, Rupa Kumari, Sunita Devi and Sushma Devi have been granted bail by a coordinate Bench of this Hon'ble Court vide order dated 29.04.2023 passed in Cr. Misc. No. 5838 of 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.09.2023.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna City in connection with Fatuha P.S. Case No. 708 of 2022, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

