

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40698 of 2023**

Arising Out of PS. Case No.-301 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

RANJIT KUMAR @ RANJIT KUMAR YADAV SON OF VIKARMA
YADAV RESIDENT OF VILLAGE -JIYAIN, PO- JIYAIN, PS- SIWAN
MUFFASIL, DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 21-07-2023 Heard Mr. Dhananjay Kumar Singh, learned
counsel for the petitioner and Mrs. Gulnar Begum, learned APP
for the State.

The petitioner is an accused in connection with
Siwan Muffasil P.S. Case No. 301 of 2023 registered for the
offences under section 30(a) of the Bihar Prohibition and
Excise Act, 2016 lodged on 03.06.2023 by the informant,
Pramod Kumar Singh.

As per the prosecution story, the police intercepted a
white ‘*scorpio*’ vehicle and recovered/seized 954 litres of
‘*Banti-Babli*’ country made liquor. Accordingly, the FIR.

Learned Counsel for the petitioner submits that he
was only seated on the said vehicle and is neither the driver nor



the owner, a poor person and only because he is friend of the driver, Prince Kumar Yadav, he found himself in jail. His last submission is that he do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the fact that he is neither the driver nor the owner of the vehicle, is in custody since 04.06.2023 (as stated in paragraph 6 of the bail application) and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Exclusive Special Excise Judge-02, Siwan in connection with Siwan Muffasil P.S. Case No. 301 of 2023, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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