

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41364 of 2023

Arising Out of PS. Case No.-339 Year-2023 Thana- FATEHPUR District- Gaya

Ranjit Kumar @ Ranjeet Kumar S/O Late Chando Yadav R/O Village-
Meyari, Ps. Fatehpur, Dist. Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No. 339 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 15.05.2023.

4. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 27 litres of IMFL/country made liquor from
the place of occurrence.

5. Learned counsel appearing on behalf of the
petitioner submitted that alleged motorcycle not belongs to to
this petitioner and as such it can be said safely that recovery of



alleged illicit liquor was not made from conscious physical possession of this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact charge-sheet has already submitted, where petitioner is in custody since 15.05.2023, accordingly, above named petitioner is directed to be released on bail in connection with Fatehpur P.S. Case No. 339 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Gaya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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