

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49112 of 2023

Arising Out of PS. Case No.-377 Year-2021 Thana- NAWADA District- Nawada

Ranjeet Kumar @ Ranjeet Prasad Son Of Sri Mahendra Prasad Resident Of
Village- Dharhara Jhunjhuri, Ps- Barkatta, Dist- Hazaribagh (JHARKHAND)
... .. Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
02.02.2023 in connection with Nawada Town P.S. Case No. 377
of 2021, F.I.R. dated 02.04.2021 for the offences punishable
under Sections 33, 34 and 36 of the Bihar Prohibition and
Excise Act, 2016.

4. According to prosecution case, the informant told
that from the statement of one Priyanka Devi, it was known that
her husband died due to consumption of spurious liquor which
he had purchased from some unknown persons.

5. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case merely on the basis of the confessional statement of the co-accused person. He further submits that the petitioner that on the date of occurrence he was in judicial custody since 25.03.2021 in connection with Amba P.S. Case No. 34 of 2021 and the present F.I.R was instituted on 29.03.2021. He further submits that nothing was recovered from the possession of the petitioner and except the confessional statement of the co-accused person, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the due to U.D. Case No. 11 of 2021 which was registered on 31.03.2021, the petitioner has falsely been implicated in all the cases as mentioned in paragraph 3 of the bail petition. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.02.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 21 criminal antecedents other than the present one.

7. Considering the aforesaid facts and circumstances, 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 Exclusive Special Judge I, Nawada in connection with Nawada Town P.S. Case No. 377 of 2021, 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)

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