

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52220 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- UJIYARPUR District- Samastipur

Ranjit Kumar Son Of Rajkumar Singh@ Raj Kumar Paswan Resident Of
Village -NEW Indra Colony, Manimazra, Ward No. 13, P.S. -MANIMAZRA,
District -CHANDIGARH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

20 18-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
02.06.2023 in connection with Ujiyarpur P.S. Case No. 187 of
-2023, F.I.R. dated 01.06.2023 for the offences punishable under
Sections 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise
(Amendment) Act.

3. According to prosecution case, total 1727.595
liters of foreign liquor has been recovered from the truck in
question.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that from the



bare perusal of the F.I.R. and seizure list, nothing has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the truck in question. He further submits that the petitioner has no concern at all with the alleged recovery of the illicit liquor. He further submits that there is non-compliance of Section 100 of the Cr.P.C. and the petitioner is in custody since 02.06.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after framing of charge** 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 – Ist, Samastipur, District – Samastipur. in connection with Ujiyarpur P.S. Case No. 187 of -2023, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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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