

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54585 of 2023

Arising Out of PS. Case No.-365 Year-2023 Thana- NAUBATPUR District- Patna

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RANJAN KUMAR SON OF LATE PRAMOD PRASAD JAISWAL @ LATE
PRAMOD PRASAD JASWAL R/O VILLAGE/ MOHALLA- MAIN ROAD,
PS- MASAURHI, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2023 Heard the parties.

The petitioner is in custody in connection with Naubatpur P.S. Case No. 365 of 2023 for the offence under sections 30 (a) and 41 of the Bihar Excise (Amendment) Act, 2018 of the Indian Penal Code lodged on 30.05.2023 by the informant, Rajesh Kumar.

As per the prosecution story, during patrolling, it intercepted a motorcycle with Sac tied to it. Upon search, 40 liters of country made liquor in 4 plastic bags recovered/seized. Accordingly, the FIR.

Learned counsel for the petitioner submits that the Sac on the road was attributed to him as he had conversation with the Police and due to false implication, is in custody since



31.05.2023 (as stated in paragraph 15 of the petition). Further, he do not have criminal antecedent.

Learned APP opposes the prayer for bail.

Taking into consideration that the petitioner do not have criminal antecedent, is in custody since 31.05.2023 and will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Excise Judge, Danapur/Concerned Court, in connection with Naubatpur P.S. Case No. 365 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/her 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 fortnight for six months to mark his



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 the 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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