

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54723 of 2023

Arising Out of PS. Case No.-430 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

RANJEET KUMAR Son of Shobh Nath Choudhary Resident of village -
Daud Nagar, P.S.- Daud Nagar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-08-2023

Heard the parties.

The petitioner is an accused in connection with Mohania P.S. Case No. 430 of 2023 registered for the offences under section 414 of the Indian Penal Code and section 30A of the Excise Act lodged on 25.06.2023 by the informant, Shivshankar Prasad.

As per the prosecution story, the police in course of checking of the vehicles intercepted a ‘*Maruti Suzuki*’ and recovered/seized altogether 200 litres liquor and as the petitioner failed to provide any documents, arrested. Accordingly, the FIR.

It is the case of the petitioner that the petitioner was a mere driver and not the owner little realizing that the country made liquor is present in the car for which he has already



suffered by being in custody since 26.06.2023 (as stated in paragraph 8 of the bail application) and do not have criminal antecedent.

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

Taking into account the submissions put forward by the learned Counsel for the petitioner, his period of custody as also that he 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 Thousands only) with two sureties of like amount each to the satisfaction of the learned Court of Exclusive Special Judge Excise Court No.-1 cum Additional Sessions Judge-4, Kaimur at Bhabua in connection with Mohaniya P.S. Case No. 430 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 fortnight for next six months 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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