

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57283 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- BARURAJ District- Muzaffarpur

Ranjit Rai @ Ranjeet Kumar Ray, aged about 37 years, Gender – Male, Son of Fudena Ray @ Bhudena Rai, Resident of Village- Baruraj, P.S- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2023 Heard Mr. Arvind Kumar, learned counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Baruraj P.S. Case No. 76 of 2023 dated 13.04.2023, G.R. No. 301 of 2023 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, 171 litres of foreign liquor was recovered from road near *Danda* River.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Recovery of alleged illicit



liquor was made from road near *Danda* river and petitioner has been implicated in the present case merely on the basis of suspicion and no specific allegation has been made against the petitioner. Petitioner is not involved in the trade of illicit liquor. He further submitted that petitioner has been made accused in two other cases of similar nature under Excise Act, in which he is on bail. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR as well as the fact that petitioner has been implicated in the present case merely on the basis of suspicion and no specific allegation has been made against the petitioner. Petitioner has been made accused in two other cases of similar nature under Excise Act, in which he is on bail. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise, Court No.-II, Muzaffarpur, in connection with Baruraj P.S. Case No. 76 of 2023 dated 13.04.2023, G.R. No. 301 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

Niraj/Nilmani

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