

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64104 of 2023

Arising Out of PS. Case No.-711 Year-2021 Thana- KHAGARIA District- Khagaria

Ranjay Kumar @ Raju S/O Jagannath Singh R/O Village- Mahua Singh Rai,
P.S. Mahua, Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
23.05.2023 in connection with Khagaria (Muffasil) P.S. Case
No. 711 of 2021(Supplementary record), F.I.R. dated
08.09.2021 registered for the offence punishable under
Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 2934 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that the petitioner is not named
in the FIR. Name of the petitioner has been transpired during
investigation on the basis of the confessional statement of the



co-accused person, namely, Shyam Yadav and nothing has been recovered from conscious possession or the house of the petitioner and the petitioner has falsely been implicated in the present case on the basis of the confessional statement of the co-accused person as well as on the basis of the previous criminal antecedent of the petitioner and the petitioner has been remanded in the present case from Mahua P.S. Case No.420 of 2021 on 23.05.2023 and the co-accused persons, namely, Ajay Kumar Yadav, Prem Singh, Sudhir Kumar @ Sudhir Rai, Arvind Kumar @ Arvind Singh and Navind Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 17.05.2022, 13.06.2022 and 15.05.2023 passed in Cr. Misc. Nos. 67652 of 2021, 6660 of 2022, 27571 of 2023 and 28562 of 2023 respectively and the petitioner is in custody since 23.05.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one of the similar nature but he fairly submits that the petitioner is on bail in all the four cases, as mentioned in para-3 of the bail petition.



6. Considering the aforesaid fact, nothing has been recovered from conscious possession or the house of the petitioner, 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 learned Exclusive Special Judge, Excise, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 711 of 2021(Supplementary record),with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

U		T	
---	--	---	--

