

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63543 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- RAJNAGAR District- Madhubani

Ranjit Mukhiya Son Of Ramdin Mukhiya Resident Of Village - Mangrauni
Uttari, P.S. - Rajnagar, District - Madhubani

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Rajnagar P.S. Case No. 151 of 2023 registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act. He has got three criminal antecedent.

3. As per the prosecution story, the informant on secret information reached at the place of occurrence and saw 9-10 persons unloading a bag from a Santro car. On seeing police, all the accused persons fled away and when the said car was searched, total 225 litres of nepali liquor was recovered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has got no concern with the alleged recovered liquor and the said Santro car and he has been made an accused by the local *Chowkidar* and villagers as one amongst the ten persons who fled away.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the petitioner has been falsely implicated in this case, there is no definite identification of the petitioner and he has been named one amongst ten persons whose names were allegedly disclosed by local villagers and local *Chowkidar*, however, such allegations are completely vague and there is no other material to connect the petitioner with the present case, in the circumstances, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Rajnagar P.S. Case No. 151 of 2023 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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