

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69638 of 2023

Arising Out of PS. Case No.-331 Year-2023 Thana- GRIYAK District- Nalanda

SANTOSH RANA Son of Kramchand Rana R/o vill - Dasropur, Post office -
Dasro Purkhed, P.S. - Markacho, Distt. - Kodarma (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aklavya Chandan Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Giriyak P.S. Case No. 331 of 2023 registered on 02.07.2023
lodged under Sections 30(a) of the Bihar Prohibition and Excise
Act (Amendment), 2016.

3. As per the prosecution case, recovery of 100.125
litre of illicit liquor has been made is the subject matter of the
present case.

4. From F.I.R., it transpires that there are three named
persons who have made accused in the present case including
the present petitioner.

5. Counsel further submits that petitioner is innocent
and has committed no offence. He submits that from the seizure



list in transpires that the said recovery has not been made from the petitioner's possession rather it has been made from the possession of co-accused, namely Rupa Yadav. Petitioner has unnecessary made accused in the present case. He further submits that petitioner is in custody since 02.07.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-V cum Exclusive Special Excise Court No. 1, Biharsharif in connection with Giriyak P.S. Case No. 331 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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