

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70515 of 2023

Arising Out of PS. Case No.-286 Year-2023 Thana- SIRDALA District- Nawada

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RANJEET RAJBANSHI Son of Brahmdeo Rajbanshi @ Brahamdev
Rajvanshi Resident of village - Hemja Bharat, Police Station - Sirdalla,
District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with
Sirdalla P.S. Case No. 286 of 2023 dated 16.07.2023, instituted
for the offence punishable under Sections 30(a), 30(c), 41 of the
Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 18 litres of illicit
liquor as well 1800 litres of swollen Mahua solution. It is
alleged that on seeing the police party, the accused persons tried
to flee away with the implements and taking advantage of forest
area, managed to fleeing away. The chaukidar identified the
persons who managed to escape including the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner has been made accused in this case only on the basis of disclosure made by the chaukidar. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that the petitioner has two criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sirdalla P.S. Case No. 286 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge- 1st, Nawada, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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