

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71384 of 2023

Arising Out of PS. Case No.-499 Year-2022 Thana- DESARI District- Vaishali

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RANJEET KUMAR @ RANJEET KUMAR SAH, aged about 34 years, son
of Late Satynarayan Sah, resident of Village- Desari Ps- Desari Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sudha, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-11-2023

Heard learned counsel for the parties.

2. The petitioner seeks pre-arrest bail in connection with Desari P.S. Case No. 499 of 2022 dated 23.11.2022 registered for the offence(s) punishable under Sections 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 15.750 litres of illicit foreign liquor was recovered from a Scooty.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has been falsely implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner and the said Scooty from which, recovery of alleged liquor was made belongs to one Usha Devi.



It is lastly submitted that the petitioner has clean antecedent.

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

6. Considering the nature of allegation and also the facts that petitioner has clean antecedent and recovery of illicit liquor has not been made from the conscious possession of the petitioner and petitioner is also not the owner of the said Scooty, from which recovery of illicit liquor was made, 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 Exclusive Special Excise Court No.1-cum- Additinoal District Sessions Judge, Vaishali at Hajipur in connection with Desari P.S. Case No. 499 of 2022, subject to the conditions 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 and if it is found that the petitioner is involved in some other cases, as what has been stated in



paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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