

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73006 of 2023

Arising Out of PS. Case No.-452 Year-2023 Thana- Excise P.S. District- Vaishali

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RANJEET KUMAR @ INDRAJEET KUMAR S/O SRI LALU RAY @ LAL
BABU RAY R/O VILLAGE- KACHAURI GALI, PATNA CITY, P.S-
CHOWK THANA, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Hajipur Excise P.S. Case No. 452 of 2023 registered under Sections 30 (a) (b) (c) of the Bihar Prohibition and Excise Amendment Act, 2018 lodged on 14.07.2023 by the informant, Ajit Kumar.

3. As per the FIR, on secret information, the police raided near Bariarpur Diyara and recovered/seized 125 liters country made wine in 25 plastic bags and further 13000 liters of formulated jaggery, drums, mug etc. Accordingly, the FIR.

4. It is the case of the petitioner that he has been falsely implicated in this case, nothing has been recovered from



his conscious possession rather from the bank of the river Ganges and he has been in custody since 04.07.2023 though he concede that he has criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. Taking into account the recovery is from a open place and not from his conscious possession and he is in custody since 04.07.2023, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise cum Additional District and Sessions Judge – II, Hajipur, Vaishali in connection with Hajipur Excise P.S. Case No. 452 of 2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next 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 evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(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.

(Rajiv Roy, J)

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