

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4655 of 2023

Arising Out of PS. Case No.-621 Year-2022 Thana- BODHGAYA District- Gaya

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RANJAN DAS @ RANJAN KUMAR DAS Son of Videshi Das Resident of
Village - Nawadih Panari, P.S.- Hantarganj, District - Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
28.09.2022 in connection with Bodh Gaya (Cherki) P.S. Case
No. 621 of 2022, F.I.R. dated 28.09.2022 registered for the
offence punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act.

Recovery is of 30 liters of country made Mahua
liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that it appears
from the FIR as well as the seizure list that nothing has been
recovered from conscious possession of the petitioner rather the



recovery has been made from the motorcycle in question and the petitioner has no concern at all with the alleged recovery of illicit liquor which was recovered from the motorcycle in question and on the basis of the suspicion, the petitioner was arrested by the police and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.09.2022.

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

Considering the aforesaid fact, nothing has been recovered from possession of the petitioner, having clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Exclusive Special Excise Court-1, Gaya in connection with Bodh Gaya (Cherki) P.S. Case No. 621 of 2022, with 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 shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) 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.

(3) 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.

(Rajesh Kumar Verma, J)

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