

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4299 of 2024

Arising Out of PS. Case No.-27 Year-2022 Thana- RATANPUR District- Supaul

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RANJEET KUMAR @ RUPESH KUMAR YADAV @ RANJEET KUMAR
YADAV S/O LATE BHUPENDRA YADAV R/O VILLAGE- MOHANPUR,
KATHARA, WARD NO. 16, P.S- CHHATAPUR, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is an accused in connection with S.Tr. No. 406 of 2022 arising out of Ratanpura P.S. Case No. 27 of 2022 registered for the offences under section 30(a) of the Bihar Prohibition and Excise Act lodged on 16.05.2022 by the informant, Ravir Kumar Raut.

3. As per the prosecution story, upon secret information, a 'Bolero' was intercepted and 648 litres of Nepali liquor recovered/seized. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that he does not own the vehicle or was driving it. He was the passenger, little realizing about the presence of the liquor in the car.



5. Learned APP for the State, on the other hand, opposes the prayer for bail stating that the car was intercepted, liquor recovered and he was sitting in the car.

6. Taking into account the submissions put forward by the parties as also that he does not own or was driving the car, do not have criminal antecedent and is in custody since 16.11.2023 (as stated in paragraph 16 of the bail application), this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Court of Exclusive Special Judge, Excise Court No. 2, Supaul in connection with S.Tr. No. 406 of 2022 arising out of Ratanpura P.S. Case No. 27 of 2022, 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 *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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months 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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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