

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6173 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- NAUTAN District- West Champaran

Ranjeet Kumar @ Ranjeet Kumar Yadav son of Moti Yadav, Resident of
Village- Mangalpur Gudariya Ps- Nautan Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Nautan P.S. Case No. 483/2023 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, there was alleged
recovery of 41.400 liters country made liquor from the
motorcycle in question and the petitioner apprehended on the
spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession
of the petitioner. The petitioner is languishing in custody since



23.11.2023 and bears criminal antecedent of one case in which he is on bail. He further submits that the petitioner was not owner of the said motorcycle and merely on suspicion, he was apprehended on the spot. Except suspicion, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that the seizure list has not been prepared as per the law. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-I, Bettiah, West Champaran in connection with Nautan P.S. Case No. 483/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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