

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29921 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- KUDHNI District- Muzaffarpur

Ranjan Kumar Rai @ Ranjan Kumar son of Harendra Rai R/o Village-
Ganiyari, P.S.- Sakra, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 12-07-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in Kudhani P.S. Case No.
60 of 2024, instituted for the offences punishable under Sections
272, 273, 420, 467, 468, 471, 120(B) of the Indian Penal Code,
Sections 30(a), 32(2)(3) and 41(1)(2) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 5119.560
liters liquor was recovered from truck and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner is driver of the truck in question and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 09.02.2024 and has got three criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 01.04.2024 passed in Cr. Misc. No. 24190 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Kudhani P.S. Case No. 60 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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