

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34129 of 2024

Arising Out of PS. Case No.-313 Year-2022 Thana- NATHNAGAR District- Bhagalpur

RANJEET YADAV SON OF INNO YADAV RESIDENT OF VILLAGE -
GOLAHU, P.S. - MADHUSUDANPUR, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2024 Heard Mr. Rajive Ranjan Singh, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Nathnagar (Madhusudanpur) P.S. Case No. 313 of 2022 for the offence under sections 30(a), 30(d), 30(c) of the Bihar Prohibition and Excise Act, 2016 lodged on 13.05.2022 by the informant, Pankaj Kumar.

3. As per the prosecution story, the informant alleged that upon secret information about the use of liquor, raided the place, one person managed to escape. The local Chowkidar gave the name of the petitioner. Later, it was searched and 100 liters under processed liquor as also 15 liters country made liquor recovered/seized. The 100 liters liquor was subsequently destroyed, which followed the FIR.



4. Learned counsel for the petitioner submits that the recovery is from an open place, he do not have criminal antecedent and his name has come in the confessional statement.

5. Further, the submission is that without accepting the allegation, the petitioner intends to deposit Rs. 5,000/- with the Patna High Court Legal Services Committee.

6. Learned APP opposes the prayer.

7. Taking into account the aforesaid submissions put forward by the parties as also the fact that he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioner to be deposited with the Patna High Court Legal Services Committee.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District & Sessions Judge 12th cum Special Judge Excise-2, Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 313 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member/relative 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 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 his 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 the 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.

(Rajiv Roy, J)

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