

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40974 of 2024

Arising Out of PS. Case No.-403 Year-2021 Thana- NAWADA District- Nawada

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Ranjeet Kumar @ Ranjeet Prasad Son of Mahendra Prasad Resident of
Village - Dharhara, Jhurjhuri, P.S.- Barkatta, District - Hazaribagh
(Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-06-2024 Heard the parties.

2. The petitioner seeks bail in connection with
Nawada P.S. Case No. 403 of 2021 registered for the
offence under Sections 30(a)(b)(c)(d) of the Excise Act.

3. The petitioner is not named in the F.I.R. and is
in custody since 01.01.2023.

4. The allegation against the petitioner is to
involve in the illegal business of illicit liquor, where 400 ml
of country made liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted that name of the petitioner surfaced
on the basis of confessional statement of co-accused,



namely, Arvind Yadav and Vidhan Kumar, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 72533 of 2021 dated 30.05.2022, in furtherance of which, nothing incriminating surfaced, which may connect the petitioner with the alleged recovery/manufacturing activities. It is further submitted that petitioner involved in this case only due to his criminal antecedents, as he is involved in 21 more criminal cases but in most of the cases, name of the petitioner surfaced on the basis of confessional statement, as of the present case. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that this is not a case of recovery of illicit liquor from the physical possession of the petitioner.

7. In view of the facts and circumstances, as mentioned above, as recovery cannot be said to be made



from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nawada P.S. Case No. 403 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Nawada, subject to the conditions as laid down u/s 437(3) of the Cr.P.C. subject to the conditions as mentioned:

- (i) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the learned Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the learned Trial Court, only on medical ground of the petitioner, duly supported by the documents.
- (ii) That one of the bailors shall be deponent of the present bail petition."

(Chandra Shekhar Jha, J)

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