

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48036 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- JOGAPATTI District- West Champaran

Ranjit Dubey @ Ranjeet Dubey Son of Nain Dubey R/O Vill.- Hathia,
Machhar Ganw, P.S.- Yogapatti, Dist.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Yogapatti P.S. Case No. 158 of 2024 for the offence under sections 272 and 273 of the I.P.C. and 30(a) of Bihar Prohibition & Excise Act lodged on 28.04.2024 by the informant, Varun Kumar.

3. As per the prosecution story, the informant got information that liquor is being sold by the petitioner. Accordingly, they went to the place where one accused person escaped after throwing the bag. The locals gave the name of the petitioner and upon search, 6 liters of illicit country made liquor recovered from the bag, accordingly the F.I.R.

4. Learned counsel for the petitioner submits that there is no recovery/seizure from the conscious possession of



the petitioner, he has enmity with the *chowkidaar* who named him. The last submission is that petitioner do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that his name has cropped up upon the information of the *chowkidaar*.

6. Taking into account the fact of the case as also that nothing has been recovered from the conscious possession of the petitioner, the recovery/seizure has been made from abandoned bag, FIR lodged, he will be facing the trial and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. However, if it is found that the petitioner has criminal antecedent the present order shall become infructuous.

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) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran, in connection with Yogapatti P.S. Case No. 158 of 2024 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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