

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69829 of 2024

Arising Out of PS. Case No.-726 Year-2024 Thana- Excise P.S. District- Patna

Rahul Ranjan Kumar S/o Ramashray Mistri Sharma @ Ramashray Sharma
R/o vill - Chirauli Ima, P.S. - Khijarsarai, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Badh Excise P.S. Case No. 726 of 2024 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 31.07.2024 by the informant, Sachin Kumar.

3. As per the prosecution story, the informant alleged that on secret information, Maruti Swift car was intercepted and there is/are recovery of 126.500 and 78.500 liters of Codene Syrup totalling 205 liters Codene Cough Syrup. Accordingly, the seizure list prepared, petitioner arrested and the FIR.

4. Learned counsel for the petitioner submits that on false premise, he has been taken into custody, has remained there since 31.07.2024 (paragraph-9 of the petition) and do not



have any criminal antecedent. He further submits that it is below the commercial quantity.

5. Learned APP opposes the prayer for bail submitting that huge quantity of Cough Syrup have been seized.

6. Though there is seizure, it is below the commercial quantity, the petitioner is in custody since 31.07.2024 and do not have any criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Spl. Excise Judge, Badh, in connection with Badh Excise P.S. Case No. 726 of 2024 subject to the following conditions:

(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 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)

Adnan/-

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