

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68193 of 2024

Arising Out of PS. Case No.-1 Year-2023 Thana- TANDWA District- Aurangabad

Ranjit Sao Son of Late Kandhai Sao Resident of village - Bauwan, P.S.-
Sigauri, District - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithlesh Kumar Gupta, Advocate
Mr. Mohan Singh, Advocate
For the State : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-09-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail in connection with Tandwa
P.S. Case No. 01 of 2023 dated 05.01.2023 arising out of G.R.
No. 14 of 2023, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

3. As per allegation, 501.120 liters of liquor has been
recovered from a tractor bearing Registration no. BR25G-3271.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is allegedly owner of
the Tractor bearing Registration no. BR25G-3271. However, he
has already sold the Tractor long back in the year 2012 much



prior to the alleged occurrence. Hence, he has nothing to do with the alleged occurrence. He further submits that the similarly situated co-accused, namely, Nagendra Ram, who is driver of the Tractor bearing Registration no. BR25G-3271 has already been granted bail by this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 10573 of 2023. He further submits that the petitioner has been languishing in jail since 23.07.2023.

5. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the present case.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge (Excise Court No-II), Aurangabad in connection with Tandwa P.S. Case No. 01 of 2023 arising out of G.R. No. 14 of 2023 on the following conditions:

(i) The petitioner will make himself available for



interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(vi) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bond will be cancelled by the court below.

(Jitendra Kumar, J)

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