

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71568 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Ranjit Kumar @ Ranjeet Kumar S/O Late Sitaram Singh R/O Village-
Chakhabib, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 198 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
(Amended) Act, 2022.

3. As per prosecution case, the police has recovered
total 312.00 liter illicit foreign liquor from the field of Akhilesh
Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner or from the premises that belong to the petitioner rather the same has been recovered from the brinjal garden and field situated near the house of one Akhilesh Kumar. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 14.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bibhutipur P.S. Case No. 198 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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