

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73867 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- KUTUMBA District- Aurangabad

Ranjan Kumar Son of Mukhraj Paswan Resident of Village -Gol Gariwa, P.S.-
Kutumba, District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

Ms. Sakshi Deep, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-10-2024 Heard Mrs. Sakshi Deep, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Kutumba P.S. Case No. 141 of 2024 for the offence punishable
under sections 30(a) of the Bihar Prohibition and Excise Act
lodged on 24.08.2024 by the informant, Ravishankar.

3. As per the prosecution story, the informant alleged
that during patrolling and upon secret information about
movement of two motorcycles from Jharkhand side, the same
were intercepted and so far as the motorcycle driven by the
petitioner is concerned, there is recovery of 32.76 liters of
country made liquor whereas from other motorcycles, the
recovery is/are 48.6 liters english wine and 24.3 liters english



wine respectively. Accordingly, the seizure, arrest, FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated. Though the motorcycle belongs to him, nothing has been recovered from his conscious possession but the police only wanted to implicate, in the process, he is in custody since 25.08.2024 (para 11 of the petition).

5. Learned APP opposes the prayer for bail submitting that he was caught with 32.76 liter of country made liquor and motorcycle also belongs to him.

6. Taking into account the aforesaid submissions put forward by the parties as also the fact that the petitioner has undertaken to diligently appear in trial, is in custody since 25.08.2024, 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 Special Judge, Excise, First, Aurangabad in connection with Kutumba P.S. Case No. 141 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 one year 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)

Vijay Singh/-

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