

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75992 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- Jhandapur District- Bhagalpur

1. Ranjit Kumar @ Ranjeet Kumar Son of Ashok Yadav R/O-Village-Haridwar Tola Ward No. 03, Police Station- Gamhariya, District -Madhepura
2. Naitik Kumar @ Golu @ Golku Son of Satyanarayan Yadav R/O-Village-Chakla Ward No. 13, Police Station- Madhepura, District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Jhandapur P.S. Case No. 65 of 2024 (G.R. No. 3575 of 2024)
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered
total 1233 liters illicit Indian-made foreign liquor from the
truck bearing Regd. No. WB916768.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence as
alleged against them and have falsely been implicated in the



present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners were not arrested on spot. The petitioners are said to be the driver and cleaner of the alleged truck. The petitioners are neither owner nor trader of wine. The petitioners have 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 petitioners have no criminal antecedent and are languishing in judicial custody since 19.09.2024 without any rhyme 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 petitioners.

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 petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jhandapur P.S. Case No. 65 of 2024 (G.R. No. 3575 of 2024), subject to the



following conditions;

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

(ii) The petitioners 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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