

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76606 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- AMBA District- Aurangabad

Ranjay Kumar S/o Late Virendra Yadav Resident of Village- Adma, P.S-
Obra, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2024 Heard Mr. Ashok Kumar Singh, learned counsel for
the petitioner and Mr. Nityanand, learned APP for the State.

2. The petitioner is in judicial custody in connection with Amba P.S. Case No. 192 of 2024 for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 30.08.2024 by the informant, Gautam Kumar Singh.

3. As per the prosecution story, a Maruti Omni car coming to Aurangabad from Hariharganj side was intercepted and there is recovery/seizure of 221.94 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that though he was driving the car, is not owner nor the liquor belong to him. He was asked to handover the car from one place



to another and in the process, got implicated, is in custody since 31.08.2024 (para-14 of the petition) and do not have criminal antecedent. Last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner would like to contribute Rs.10,000/- to the District Legal Services Authority for fixing benches in the Civil Court's campus, Aurangabad through Demand Draft issued by the local branch of the State Bank of India.

4. Learned APP opposes the prayer submitting he was driving the car when the interception took place.

5. Considering the aforesaid submission put forward by the parties as also the fact that he does not own the car, he is in custody since 31.08.2024 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail subject to payment of Rs.10,000/- to the District Legal Services Authority for fixing benches in the Civil Court's campus, Aurangabad through Demand Draft issued by the local branch of the State Bank of India.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise-I, Aurangabad, in connection with Amba P.S. Case No.



192 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 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 next 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)

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