

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83081 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- LALGANJ District- Vaishali

Ratnesh Rai Son of Yogendra Rai Resident of Village-Chintamanpur, PS-
Vaishali, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-12-2024 Heard Mr. Ranjit Kumar Thakur, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. Learned counsel for the petitioner has filed a
supplementary affidavit in the present case stating therein that
petitioner is ready to deposit Rs. 1 lac.

3. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a), 32(2), 41(1) of
the Bihar Prohibition and Excise (Amendment) Act, 2022.

4. Altogether 3013.20 litres of illicit Indian made foreign
liquor has been recovered from the seized truck. Seeing the
police, the accused persons including the petitioner are said to
have fled away from the spot.

5. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.



No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. He was not apprehended on the spot. He is neither the owner nor the driver of the seized truck. His name has been transpired in the present case merely on the basis of the secret information. Learned counsel further submits that petitioner has one criminal antecedent of similar nature of offence as mentioned in para 3 of the bail application.

6. Petitioner is agreed to deposit a sum of Rs. 1,00,000.00 (Rupees One Lac) in account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

7. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Lalganj P.S. Case No. 214 of 2024, subject to



the condition as laid down under Section 482 (2) of the B.N.S.S., 2023, subject to the further conditions that

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Lawyer's Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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