

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7363 of 2025

Arising Out of PS. Case No.-380 Year-2022 Thana- OBRA District- Aurangabad

Ranjeet Prasad S/O Mahendra Prasad R/O Village-Jhurjhuri, P.S- Barkattha,
District-Hazaribagh (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Mukul Kumari, Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with G.R. No. 681 of 2022 arising out of Obra PS. Case No.380 of 2022 dated 23.09.2022, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation, 100.08 liter of country made liquor was recovered from a tempo bearing registration no. BR26U7669.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from



the possession of the petitioner. He also submits that the name of the petitioner has transpired in the confessional statement of the co-accused before the police, which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. It transpires that other than the confessional statement of the co-accused before the police, there is no other material against the petitioner. Hence, no *prima facie* case is made out against the petitioner under Excise Act.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge of Excise. 02, Aurangabad, in connection with G.R. No. 681 of 2022 arising out of Obra PS. Case No.380 of 2022 dated 23.09.2022, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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