

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19951 of 2025

Arising Out of PS. Case No.-429 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Ranjeet Sah S/O Asharfi Sah Resident of Village- Pachharwa, P.S.- Majorganj
, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2025 Heard Mr. Ashok Kumar Jha, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Majorganj P.S. Case No. 429 of 2024, F.I.R. dated 24.12.2024 for the offences punishable under Section 317(5) of B.N.S. Act and Section 30(a) of the Bihar and Prohibition and Excise Act.

3. According to prosecution case, the petitioner and other co-accused persons were carrying liquor.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It appears from the F.I.R. and seizure list that nothing has recovered from the conscious possession of the petitioner rather the recovery



has been from the motorcycle in question and the petitioner is not the owner of the motorcycle in question and he has no concerned with the alleged recovery of the illicit liquor and the name of the petitioner transpired on the basis of the disclosure made by co-accused person, namely, Nawal Kumar and except the aforesaid disclosure made by the co-accused person, no other cogent material came during the investigation, which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries five criminal antecedent other than the present.

6. Considering the aforesaid facts that the nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner transpired on the basis of the disclosure made by co-accused person, namely, Nawal Kumar, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Sitamarhi in connection with Majorganj P.S. Case



No. 429 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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