

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35110 of 2025

Arising Out of PS. Case No.-647 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Ram Bhajan Singh @ Ram Bhajan @ Rana Ji S/O Late Baliram Singh R/O
Village RZ 16 A/3 Main Sagarpur, South West Delhi, P.S- Sagarpur, New
Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 01-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Mohania P.S. Case no.647 of 2023 registered under
Sections 30(a) and 47 of the Bihar Prohibition and Excise
Amendment Act, 2018.
3. As per the prosecution case, 2827 liters of foreign
liquor was recovered from a truck bearing Registration No.
HR55P9367. Accused Mahesh Chand who was the driver of the
said truck was apprehended at the spot.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The cause of
his false implication is only for the reason that he happens to be



the registered owner of the seized truck. As a matter of fact the petitioner had already let out the truck on rent by way of written rent agreement dated 26.06.2023 (Annexure-P/2) with one Gajraj Singh and Shubham Singh and the present case was lodged when the truck was being used by them. He further submits that the petitioner also lodged an F.I.R against Gajraj Singh and Shubham Singh as they had stopped payment of rent and did not return the truck back to the petitioner. The said case is Annexure-P/3 to the present application. No recovery has been made from the physical or conscious possession of the petitioner. The petitioner has one criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that he has one criminal antecedent. In response, learned counsel for the petitioner submits that he is on bail in the said cases.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mohania P.S. Case no.647 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the following conditions:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the investigation is concluded against the petitioner.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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