

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83864 of 2024

Arising Out of PS. Case No.-988 Year-2024 Thana- Excise P.S. District- Aurangabad

Ranjan Kumar Son of Umesh Yadav Resident of Village- Pakaha, P.S
-Mufassil, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-03-2025 Heard Mr. Ashok Singh, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No. 988 of 2024 instituted under Sections 30(a)/32(3) of the Bihar Excise and Prohibition Amendment Act lodged on 03.10.2024 by the informant, Sarvajeet Thakur.

3. As per the prosecution story, the informant alleged that during checking of the vehicles, one Indigo Car was intercepted and there is recovery/seizure of 129.600 litres of country made liquor. Accordingly, the FIR/arrest.

4. Learned counsel for the petitioner submits that he is not the owner of the car, has no knowledge about the presence of the liquor. He further submits that he is neither owner of the car nor was having any knowledge about the liquor, his name



has come in the confessional statement of Rahul Kumar who has been extended relief in Cr. Misc. No. 84139 of 2024. The last submission is that the petitioner do not have criminal antecedent and irrespective of the outcome of the present case and or accepting the allegation, he intends to pay Rs.10,000/- (Ten thousand) to the District Legal Services Authority, Aurangabad, for beautification in the Civil Court campus, Aurangabad.

5. Learned APP opposes the prayer submitting that he has been alleged to be liner of the said movement of the car.

6. Taking into account the aforesaid facts as also that nothing has been recovered from his conscious possession nor has criminal antecedent, his name has come in the confessional statement of the co-accused Rahul Kumar who has been extended bail, in that background, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 10,000/- (Ten thousand) through Bank Draft issued by the local State Bank of India to the District Legal Services Authority, Aurangabad, for beautification in the Civil Court campus, Aurangabad and the receipt thereof has to be submitted before the Trial court, Aurangabad.

7. Let the petitioner be released on bail, in the event



of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Excise P.S. Case No. 988 of 2024 to the satisfaction of learned Special Judge, Excise Court No.II, Aurangabad subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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.

8. Let a copy of the order be sent to the learned Principal District Judge, Aurangabad for his perusal and needful.

(Rajiv Roy, J)

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