

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89306 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Ranjan @ Ranjan Kumar @ Guljan Kumar @ Gunjan Kumar S/o- Ramashray
Mahto Village- Virsahiya PS-Bibhutipur Distt -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate
For the Opposite Party/s : Mrs. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-03-2025 Heard the parties.

2. The petitioner is in custody in connection with Bibhutipur P.S. Case No. 95 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 22.03.2024 by the informant, Sanjeev Singh.

3. As per the prosecution story, the police, during patrolling, raided a bamboo garden and there is recovery/seizure of 99 liters foreign liquor which led to the F.I.R.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated. Admittedly, the recovery/seizure is from an open place and not from his conscious possession. He is in custody since 20.10.2024 and shall diligently appear in trial. The further submission is that one of the co-accused has been granted bail in



Cr. Misc. No. 83257 of 2024.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Taking into account the aforesaid submissions as also the fact that recovery is from an open place, he has remained in custody since 20.10.2024 and has undertaken to diligently appear in trial and one of the co-accused has already been granted relief, as stated above, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise-1, District-Samastipur in connection with Bibhutipur P.S. Case No. 95 of 2024 subject to the following conditions:

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

(ii) the petitioner shall appear on each and every date before the Trial Court and the 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;

(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 bail bond.

(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.

(Rajiv Roy, J)

Adnan/-

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