

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35489 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- DEV District- Aurangabad

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Ranjeet Kumar S/o Surendra Mehta Resident of Village- Khushiyalpur, P.S.-
Deo, District – Aurangabad Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioner and

the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Deo P.S. Case No. 46 of 2026, for allegedly having committed offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that while he was on vehicle checking drive, in the meantime, he got a secret information that one Appe tempo having registration no. BR 24 PA 4025 is loaded with liquor and three persons are riding a motorcycle, working as a liner. After giving information to the higher officials, the informant along with police party started waiting for the said vehicle to come. At around 22:20 hours, he saw a yellow and black tempo coming from Ketaki. The informant after giving



toureh-light on said vehicle, tried to stop him, however the driver started to flee away along with the vehicle. Upon chase, the tempo was apprehended along with the driver, who disclose his name as Bablu Kumar. Upon search of the said tempo, around 178.2 litres of country made liquor was recovered and seizure list was also prepared.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner was not even present at the place of occurrence. His name transpired in the present case on the basis of the confessional statement given by the apprehended person and nothing has been recovered from petitioner. The petitioner has got no concern either with the seized tempo or with the seized liquor and the petitioner is neither the driver of the said tempo, nor the owner or even a passenger in the said tempo. She further submits that the petitioner has got a clean antecedent.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. Having heard the rival submissions and after going through the record, it appears that total 178.2 litres of liquor was recovered from the Auto bearing Registration No. BR 24 PA 4025. The petitioner was not apprehended at the place of occurrence and therefore, no question of any recovery from him.



His name transpired in the present case on the basis of the statement given by the apprehended co-accused before the police. The petitioner has got a clean antecedent. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, 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 Court of District & Addl. Sessions Judge-cum-Exclusive Special Judge, Excise Court No. - 01, Aurangabad subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

Ajay/Ashutosh/-

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