

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54278 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -ROUH District- NAWADA

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Lakshman Rajbanshi, Son of Late Bhadai Rajbanshi, resident of Village-
Ajay Nagar, P.S.- Rupau, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Roh P.S.
Case No. 64 of 2017 for offences punishable under Sections 30
(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The prosecution case, as lodged by the police
personnel, is that while they received secret information that
some persons are transporting illicit liquor from Jharkhand, the
police chased six people and apprehended the petitioner, while
others managed to flee away. He disclosed the name of other
persons who had fled away and thrown six bags from which 195



liters of country made wine was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and that nothing has been recovered from his conscious possession. He submits that there was six bags which was found at the place of occurrence which did not belong to him, he is languishing in judicial custody since 02.08.2017 and that charge-sheet has already been submitted.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge-Excise Act, Nawada in connection with Roh P.S. Case No. 64 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



- (2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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