

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16068 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- RAJGIR District- Nalanda

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JAI PRAKASH @ PRAKASH JEE, aged about 40 years (Male), Son of Late Saryug Prasad, Resident of Village- Mansingpur, P.S.- Telhara, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Adv.

For the Opposite Party/s : Mrs. Asha Devi (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 01-04-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 272, 273, 420, 120(B) of the Indian Penal Code and Section 30(a) Bihar Prohibition and Excise Act, 2016.

Informant who is Excise Officials has received a secret information that in the house of Pallu Prasad @ Sanjay Prasad huge quantity of illicit liquor is concealed, the police conducted a raid and from the house 2395.050 liters of Indian made foreign liquor and from the Maruti vehicle 38.880 liters of illicit liquor was recovered. It is alleged that the persons gathered at the spot informed that Pallu @ Sanjay Prasad,



Subodh Yadav and Dharmendra Kumar who fled away from the place of occurrence, are involved in the business of selling illicit liquor.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. nor any incriminating article has been recovered from his house while raid was conducted. Similarly placed co-accused have been granted bail by co-ordinate bench of this court vide order dated 13.03.2019 and 15.03.2019 passed in Cr. Misc. No. 15007 of 2019 and Cr. Misc. No. 15702 of 2019 respectively. Petitioner has no criminal antecedent and is in custody since 30.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Rajgir P.S. Case No. 31 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bonds.

(S. Kumar, J)

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