

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15007 of 2019

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

RAMDAHIN PRASAD, aged about 77 years (Male), Son of Late Ayodhya Prasad Resident of Village- Sardarbigha, Police Station- Noorsarai, District- Nalanda at Biharsharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate
	:	Mrs. Babita Kumar, Advocate
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala, Advocate

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial since 31.01.2019 in connection with Rajgir P.S.Case No.31 of 2019 for the offence alleged under Sections 272, 273, 420 and 120B of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

The prosecution case as lodged by the Excise Officials is that on 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 litres of Indian Made Foreign Liquor and from the Maruti vehicle 38.880 litres 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. 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, is an old person of 77 years of age and just because he is father of Pallu Prasad @ Sanjay Prasad, he has been made accused during course of investigation. He submits that he is not named in the FIR and nothing has been recovered from his conscious possession and is languishing in judicial custody since more than a month.

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

Considering the nature of allegations and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Rajgir P.S.Case No.31 of 2019 to the satisfaction of learned Additional District & Sessions Judge-III, Nalanda at Biharsharif, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient



immovable property, who will file an affidavit stating his
relationship with the petitioner.

(Nilu Agrawal, J)

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