

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50158 of 2021

Arising Out of PS. Case No.-233 Year-2021 Thana- SIRDALA District- Nawada

Sunil Rajbanshi S/O- Late Saryu Rajbanshi Resident of Village- Laund
Durgapur, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Sirdala P. S Case No. 233 of 2021 for the offences
punishable under Section 30(a), 30d, 41 of Bihar Prohibition
and Excise Act.

According to the F.I.R Illicit liquor Bhatti was being
run near Ahar. When police raided, three persons fled away but
petitioner was arrested and co-accused was escaped.

Learned counsel for the petitioner submits that
petitioner has clean antecedent. Nothing has been recovered
from conscious possession of the petitioner nor he was arrested



on the spot. Petitioner was not the owner of the place and he has no concerned with the said recovery. Petitioner is in jail custody since 08.06.2021.

The learned A.P.P opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Nawada in connection with Sirdala P.S.Case No. 233 of 2021 ,subject to the following conditions;-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step 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.

(Rajesh Kumar Verma, J)

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