

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5164 of 2021

Arising Out of PS. Case No.-272 Year-2019 Thana- RAJGIR District- Nalanda

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SUNDAR RAJWANSHI Son of Late Shyamdeo Rajwanshi Resident of
Village- Marksavadi- Nagar, P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-04-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks bail in Rajgir P.S. Case No.
272/2019 registered for the offences punishable under Sections
147/148/149/341/323/307/353 of the Indian Penal Code and
Section 45 of the Bihar Prohibition & Excise Act.

As per the prosecution case, on an information that
co-accused Suresh Rajbanshi is making and selling illicit liquor,
a raid was conducted and one 15 litres jerkin containing 6-7
liters of wine was recovered at the door of co-accused Suresh
Rajbanshi. It is further alleged that in the meanwhile the police
party was attacked by several persons including this petitioner.



It is submitted on behalf of the petitioner that there is general and omnibus allegation against this petitioner and no specific allegation has been made against this petitioner. It is further submitted that no recovery of liquor has been made from the house of petitioner. Petitioner has got no criminal antecedent and he is in custody since 12.10.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned 3rd Additional District and Sessions Judge cum Special Judge, Excise, Nalanda at Biharsharif, in connection with Rajgir P.S. Case No. 272/2019, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(Prabhat Kumar Singh, J)

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