

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5600 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- PARASI District- Jehanabad

PRAMOD RAJBANSHI @ PRAMOD RAJ BANGSHI SON OF
CHANGELI RAJBANSHI RESIDENT OF VILLAGE-LAXAMANPUR
BATHE, PS-PARSAI, DISTRICT-ARWAL. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-11-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Parasi P.S. Case no. 57 of 2020 instituted for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2016.

As per allegation in the FIR, in course of night
patrolling, police has reached to the house of the petitioner and
started to raid it. On seeing the police party, petitioner managed
to escape. In presence of co-villagers, 25 litres of country made



liquor was found from his house.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious physical possession.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that petitioner is owner of the alleged house, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

