

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9219 of 2022**

Arising Out of PS. Case No.-642 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Goga Rajbanshi @ Gogo Rajbanshi Son of Jhagar Rajbanshi R/O Village-
Khanpur, P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 08-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks

of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with G.O.

Case No. 642 of 2021 registered for the offence under Section

392 of the Indian Penal Code but chargesheet submitted under

Section 30(a) of the Excise Act.

The accused/petitioner is named in the F.I.R. and is in

custody since 09.11.2021.

The allegation against the petitioner is having in

possession of 31 liters of illicit country made liquor.

Learned counsel appearing on behalf of the petitioner



submitted that recovery has not been made from the conscious possession of the petitioner as it is appearing from perusal of seizure list. It has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State fairly submitted to impose some regulatory conditions, as regard to the criminal antecedent of the petitioner as mentioned in paragraph no.3 of the bail petition.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious physical possession of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with G.O. Case No. 642 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court Excise Act II, Nawada, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond



of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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