

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8937 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- RAJAOLI District- Nawada

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Raju Rajbanshi, Male aged about 23 years, Son of Balkishun Ram @
Balkishun Rajbanshi @ Balkishun, Resident of Village- Pasiya, P.S.-
Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Rajauli
P.S. Case No. 448 of 2021 registered for the offence punishable
under Sections 30 (a) (d), 37 (c) 41 of the Bihar Prohibition and
Excise Act, 2016 and Section 414 of the Indian Penal Code.

The accusation against accused/petitioner is to
fleeing away from the spot where illicit liquor were selling as
well as manufacturing by other co-accused persons.

Learned counsel appearing on behalf of the
accused/petitioner submitted that from the bare perusal of the
FIR itself it appears that the accused/petitioner was not involved
in manufacturing of the illicit liquor. It has further been
submitted that he is the man of clean antecedent and is in
custody since 05.09.2021.

Considering the facts and submissions as made above



as accused/petitioner was not involved in manufacturing and processing of illicit liquor, coupled with the fact that he is the man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Rajauli P.S. Case No. 448 of 2021 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise, Nawada subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Chandra Shekhar Jha, J)

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