

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25967 of 2022

Arising Out of PS. Case No.-201 Year-2021 Thana- BELDOUR District- Khagaria

RAMBILASH SADA S/o Uchit Sada R/o village- Pirnagra, P.S.- Beldaur,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Beldar P.S. Case No. 201 of 2021 under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2018.

The prosecution case in brief is that the police on
secret informant reached the scene and saw one person was
manufacturing illicit liquor and on seeing the police, he tried to
flee but was chased and disclosed his name as Rambilash Sada,
the petitioner herein. On search, 1.5 liter of illicit liquor was
recovered there. Accordingly, the FIR was lodged and the



petitioner has been taken into custody.

Learned counsel for the petitioner submits that for the meagre quantity of 1.5 liter of illicit liquor, he is languishing in jail since 11.09.2021 (as stated in paragraph -9 of the bail application) despite the fact that he has clean antecedent.

Considering the recovery/seizure of the amount of liquor, the period he has already undergone in custody as also the fact that he has clean criminal and charge sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Special Judge (Excise), Khagaria in connection with Beladaur P.S. Case No. 201/2021, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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