

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39740 of 2021

Arising Out of PS. Case No.-119 Year-2021 Thana- KHAIRA District- Jamui

RAKESH BESHRA Son of Lte Shari Beshra Resident of Village Kushauna,
P.S. Barhat, District Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 14.04.2021 seeks
bail in connection with Khaira P.S. Case No.119/2021
registered for offence punishable under Sections 272, 273/34 of
the IPC and under Section 30(a) of Bihar Prohibition and Excise
Act.

Prosecution case in brief, is that altogether 200 liters
of country-made liquor was recovered from the house of one
Vijay Murmu. In course of raid four other accused persons after



seeing the police managed to escape from the place of occurrence, in which petitioner is one of them.

Learned counsel appearing on behalf of the petitioner submits nothing has been recovered from his conscious possession while there is specific allegation of recovery from the varandah of one co-accused Vijay Murmu who was apprehended on the spot along with a motorcycle, parked there. Petitioner has clean antecedent and is in custody since 14.04.2021.

Learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner.

Considering the afore-mentioned facts and circumstances and of the case and in view of the statement made in paragraph no.3 of the bail petition, it is directed that the court below shall verify the criminal antecedent of the petitioner and if no other criminal case or excise case is pending against the petitioner as what has been stated in paragraph no.3 of the bail petition, the petitioner, above named, be released on bail on furnishing bail bond of Rs.50,000/-(Rupees Fifty Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.D.J., IInd, Jamui in connection with Khaira P.S. Case No.119/2021, subject to the following



conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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