

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49916 of 2021

In

CRIMINAL MISCELLANEOUS No.114 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- MADANPUR District- Aurangabad

RAJKESHWAR RAM S/o TETAR RAM R/o VILLAGE-MADARPUR, P.S-
MADANPUR, DISTRICT-AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 11-03-2022 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Madanpur Police Station Case No. 114 of 2021, registered for
the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information, that
the petitioner has kept illicit liquor in his house, raided the
house of the petitioner and recovered 100 litres of spirit from a
room of the petitioner kept in three plastic gallons.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case with oblique motive. He, referring to paragraph 6 of this application, submits that the house, in question was abandoned house and in a dilapidated condition, where the petitioner was not residing. He further submits that the petitioner is in custody since 20.05.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner has got no criminal antecedent, charge sheet has already been submitted, he is in custody since 20.05.2021 and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge,



Excise, Aurangabad, in connection with Madanpur Police
Station Case No. 114 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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