

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50739 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- NARHATT District- Nawada

SUNIL RAJBANSHI Son of Bhola Rai Bansui Resident of Village - Chhato
Shekhpur, P.S. - Narhat, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate.

For the Opposite Party/s : Mr.Atul Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Narhat P.S. Case No. 163 of 2021 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The F.I.R. relates to recovery of country made liquor from the petitioner as well as co-accused Munshi Rajbanshi.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that nothing has been recovered from conscious possession of the petitioner. He



further submits that the petitioner has no concern with the seized truck or liquor in question. Petitioner is in custody since 14.06.2021.

The learned Additional Public Prosecutor for the State opposed the prayer for bail submitting that the petitioner carries two criminal antecedent.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II, Nawada in connection with Narhat P.S. Case No. 163 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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