

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49890 of 2021

Arising Out of PS. Case No.-141 Year-2021 Thana- RAJAOLI District- Nawada

PARAS RAJBANSHI Son of Late Bandhu Rajbanshi Resident of Village-
Lobkala, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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

The petitioner seeks regular bail in connection with
Rajauli Police Station Case No. 141 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,
raided a place in the forest and upon seeing the police party, 12-
14 persons succeeded in fleeing away from the place of
occurrence and the police recovered equipment for preparing
illicit liquor and destroyed 3000 litres of fermented java mahua
and also recovered 300 litres of illicit country-made liquor from
the place of occurrence. The name of the petitioner along with



other accused persons has been disclosed by the village chowkidar and spy of the police.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of the disclosure of his name by the village chowkidar. He further submits that no illicit liquor has been recovered from the conscious possession and/or premises belonging to the petitioner. He further submits that similarly situated co-accused persons, namely, Shankar Yadav (in Criminal Misc. No. 39032 of 2021) and Surendra Yadav (in Criminal Misc. No. 41878 of 2021) have been granted bail by co-ordinate Bench of this Court. He further submits that the petitioner is in custody since 30.04.2021, having no criminal antecedent 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, no illicit liquor has been recovered from the possession of the petitioner, charge sheet has already



been submitted, the petitioner is in custody since 30.04.2021 and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, 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, Nawada, in connection with Rajauli Police Station Case No. 141 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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