

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53850 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- AMAS District- Gaya

RAJESH PRASAD Son of Late Ramchandra Prasad Resident of Village -
Shamsher Khap, P.S.- Amas, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 29-04-2022 The applicant/accused in Crime No. 56 of 2021 registered with Amas Police Station for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016, by this application is seeking his release on bail during pendency of the trial.

Heard both sides

According to the prosecution case, police received information that the applicant is distilling illicit Mahua liquor in the forest area. That is how the spot was raided. However, according to the prosecution case, one person flee from the spot but the chowkidar identified him as the present applicant. 40 litres of illicit Mahua liquor was found on the spot of the incident which was seized.

The applicant is behind bars from June 2021. He



has some antecedents, the care of which can be taken by imposing stringent conditions. Therefore, further pre-trial detention of the applicant is not warranted and hence the order:

i. The application is allowed.

ii. The applicant/accused in Crime No. 56 of 2021 registered with Amas Police Station for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be



involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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