

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52062 of 2021

Arising Out of PS. Case No.-244 Year-2021 Thana- SIRDALA District- Nawada

SONI RAJVANSHI S/o Late Latan Rajvanshi Resident of Village- Hemza
Bharat, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate.

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 01-04-2022 The applicant/accused in Crime No.244 of 2021 registered with Police Station-Sirdala for the offences punishable under Sections 30(a)(d), 41 of the Bihar Prohibition and Excise Act, 2016, by this application is seeking his release on bail during the pendency of the trial.

Heard both sides.

It is case of the prosecution that from arrested accused Vijay Das, police came to know that 5 persons including the present applicant are indulged in distillation of illicit liquor. The spot was raided. However, none could be apprehended by the police. However, it was noted by the police that illicit liquor was being distilled in huge quantity. Police seized more than 100 liters of illicit distilled Mahua liquor apart from dry Mahua flowers and fermented Mahua flowers.



Though the applicant is having one criminal antecedent, it needs to be noted that the applicant was not arrested from the spot of the incident. The F.I.R. of the subject crime itself shows that 5 persons ran away from the spot. In this view of the matter, on completion of investigation of the subject crime, I see no reason to refuse bail to the applicant by imposing some stringent conditions. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.244 of 2021 registered with Police Station-Sirdala for the offences punishable under Sections 30(a)(d), 41 of the Bihar Prohibition and Excise Act, 2016, be released on bail on executing P.R. bond of Rs.25000/-(Rupees Twenty Five Thousand) and on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or 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 should cooperate the trial in expeditious disposal of the trial against him.



- (III). The applicant 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.
- (V). The applicant should attend the concerned Police Station on every first Sunday of each month from 11.00 A.M. to 01.00 P.M.

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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