

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59399 of 2021

Arising Out of PS. Case No.-233 Year-2020 Thana- RUPASPUR District- Patna

Prayag Kumar Son of Shri Ram Nath Paswan Resident of Village - Garbhu
Chak, P.s.- Hawai Adda, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Petitioner who is in custody since 15.07.2021 seeks
bail in connection with Rupaspur P.S. Case No.233/2020
registered for the offence punishable under Section 3, 4 and 5 of
Immoral Traffic Act and Section 30(a)/37(b)(c) of Bihar
Prohibition and Excise Act.

Prosecution case in brief, is that the petitioner and
others were found in an objectionable condition with named
females in the flat of the petitioner.



Learned counsel appearing on behalf of the petitioner submits that nothing has been recovered from the possession of the petitioner neither the petitioner was present at the place of occurrence or seizure of the illicit liquor. The co-accused Sunil Kumar from whose flat the alleged recovery was made has already been released on bail by this Court vide order dated 19.03.2021 passed in Cr. Misc. No.34069/2020.

Learned APP for the State opposes the prayer for grant of bail to the petitioner.

Considering the abovementioned facts and circumstances of the case, completion of the investigation and period already undergone by the petitioner, the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/-(Rupees One Lac Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Rupaspur P.S. Case No.233/2020, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



court.

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

(4) If the petitioner is found involved in similar nature of offence, after release on bail, the trial court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

Prakash Narayan /-

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