

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67077 of 2021

Arising Out of PS. Case No.-249 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Rajendra Prasad @ Chiraiya Son of Late Ramaji Sah Resident of Village -
Gopalpur, P.S.- Hussainganj, Distt.- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with C-
III 249 of 2020 registered under section 30(a) of the Bihar
Prohibition and Excise Act.

The learned counsel for the petitioner submits that
11 litres of country made liquor has been recovered from the
house of co-accused Munna Pasi. The alleged recovery has been
attributed to co-accused Munna Pasi.

So far as this petitioner is concerned, nothing has
been recovered from his conscious possession and only because



he is the accused in seven cases of the same nature, he has been dragged in this case. He lastly submits that he has been remanded in this case on 20.9.2021 (as stated in para-15 of the bail application).

Taking into account the aforesaid facts that nothing has been recovered from his conscious possession, charge-sheet stands submitted and he is in jail since 20.9.2021 in this case, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-IIInd cum Special Judge, Excise, Siwan, in connection with C-III 249 of 2020 subject to the following conditions:-

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police



station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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