

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47729 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- SIRDALA District- Nawada

Rajesh Rajbanshi @ Rajesh Kumar SON OF Kapil Rajbanshi VILLAGE-
THEKAHI, PS- SIRDALA, DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sirdalla P.S. Case No. 152 of 2024 dated 20.04.2024 registered for the offences punishable u/s 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 46 litres of illicit country made liquor was recovered allegedly thrown by the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case only on the basis of disclosure made by the co-accused, Raj Kumar Manjhi. Nothing has been recovered from the conscious possession of the petitioner. It



is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has six criminal antecedents and he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 22.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Sirdalla P.S. Case No. 152 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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