

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38438 of 2025

Arising Out of PS. Case No.-235 Year-1998 Thana- MANER District- Patna

Shiv Prasad Rai @ Shiv Prasad @ Shivprasad Rai S/O Late Dukhan Rai
Resident of Village- Rampur, PS- Maner, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kishore, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-06-2025 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 Maner P.S. Case No. 235 of 1998 dated 01.12.1998 registered for the offences punishable u/s 47A of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 7 packets of illicit country-made liquor was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with



the alleged recovery. Learned counsel for the petitioner has further submitted that the petitioner is an accused in Maner P.S. Case No. 235 of 1998 and after furnishing the bail bond, he remained absent before the Trial Court since 25.04.2000. He was declared an absconder vide order dated 25.05.2023 and a permanent warrant was issued against him. Thereafter he was arrested and forwarded in this case on 11.03.2025 by the police. It is a case of the first misuse of the privilege of bail. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.03.2025.

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, Danapur, Patna in connection with Maner P.S. Case No. 235 of 1998, with a 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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