

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38613 of 2017

Arising Out of PS. Case No.-27 Year-2017 Thana- NAUBATPUR District- Patna

Dhiraj Kumar, Son of Sri Uday Sharma @ Brajesh Kumar Sharma, resident
of Village- Pitvas, Police Station- Naubatpur in the district of Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Akhileshwar Pd. Singh, Sr. Advocate,
Surendra Pd. Singh,
Amrit Anunay, Advocates
For the Opposite Party/s : Mr. DILIP KUMAR

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 19-08-2017 I have heard learned counsel for the petitioner and
the State.

The petitioner seeks bail in a case registered for
offences punishable under Sections 30 /38(1)/41 of the Bihar
Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 3465 litres of
foreign liquor were recovered from the house of the petitioner.
It is urged that there was partition in the family and strangely
step brother of petitioner opened the house and recovery was
made but surprisingly the step brother has not been made
accused. Petitioner claims that he is in custody since 10.4.2017.

Having regard to the facts and circumstances of the
case, the above named petitioner is directed to be released on
bail on his furnishing bail bond of Rs. 10,000/-(Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of Special Judge, Excise Act, Patna in connection



with Special Case No. 977/17 arising out of Naubatpur P.S.
Case No.27/2017.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedent of the petitioner, he would be required to appear before the Senior Superintendent of Police, Patna within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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