

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41567 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -BARGANIA District- SITAMARHI

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1. Dhiraj Kumar @ Dhiraj Jaiswal, son of Dinesh Prasad, Resident of Village- Musa Chak, P.S.- Bairgania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-09-2017 The petitioner seeks regular bail in connection with Bairgania P.S. Case No. 45 of 2017, registered for offences punishable under Sections 341, 323, 307, 353, 272, 273/34 of the Indian Penal Code and Section 41, 30(A) of the Bihar Prohibition & Excise Act.

Allegation against the petitioner is of recovery of 72 litres of nepali saufi wine and also of assault to the SPO by knife.

It has been submitted on behalf of the petitioner that he has not been apprehended on spot and the persons, who were arrested on spot have already been granted the privilege of bail by different coordinate Benches of this Court vide order dated 01.07.2017 passed in Criminal Misc. No. 29443 of 2017 and vide order dated 13.07.2017 passed in Criminal Misc. No. 31761 of



2017 and further petitioner has not assaulted the SPO rather the assault has been made by other co-accused of this case. Petitioner has been in judicial custody since 27.03.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as well as in view of the fact that other co-accused persons have already been granted bail by coordinate Benches of this Court, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Sitamarhi, in connection with Bairgania P.S. Case No. 45 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) Petitioner shall mark his attendance in the concerned court in the first week of each month till conclusion
- (iv) The petitioner shall cooperate in the disposal



of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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