

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36339 of 2019**

Arising Out of PS. Case No.-137 Year-2019 Thana- ARA MUFFSIL District-
Bhojpur

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DHANANJAY SINGH, aged about 35 years, male, Son of Ghura Singh
Resident of Village - Ijari Pipra, P.O. - Salempur, P.S.- Ara Muffasil, Dist.-
Bhojpur (Ara).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Maya Shankar Mishra, Advocate.

For the Opposite Party: Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.05.2019 in connection with Ara Muffasil P.S. Case No. 137 of 2019 (Excise Case No. 924 of 2019) for the offences alleged under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 60 litres 480 ml of English wine. The seizure list does not contain the signature of any independent witness nor complies with the requirements of Section 100 Cr. P.C. which creates considerable doubt about the veracity of the prosecution story. The petitioner claims clean antecedents.



4. Be that as it may, let the petitioner above named 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 4th Additional Sessions Judge-cum-Special Excise Act, Bhojpur at Arrah, in connection with Ara Muffasil P.S. Case No. 137 of 2019 (Excise Case No. 924 of 2019), on the following conditions-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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