

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82657 of 2019

Arising Out of PS. Case No.-281 Year-2019 Thana- TAJPUR District- Samastipur

=====

Dilip Kumar @ Dilip Singh Son of Suraj Dev Singh Resident of Village-
Morsand, P.S.- Pusa, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in **Tajpur (Waini O.P) P.S.**

Case No. 281 of 2019, registered for the offence punishable under Sections 30(a), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

353.685 litres of liquor is alleged to have been recovered from a Car. Petitioner is said to be the owner of that car.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Name of petitioner has come in this case on the confession of co-accused Manish Kumar (driver of the said car) and Ajit Kumar. It is further submitted that Co-accused had used the said car in transportation of illegal wine without the consent and



knowledge of the petitioner. Nothing has been recovered from conscious possession of the petitioner. Section 100 Cr.P.C has not been followed. Petitioner is in custody since 30.10.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional District Judge II-cum-Special Judge Excise, Samastipur** in connection with **Tajpur (Waini O.P.) P.S. Case No. 281 of 2019**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

