

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1870 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- UCHKAGAON District- Gopalganj

=====

DIPU @ DIPU SINGH Son of Bikrama Singh @ Vikrama Singh Resident of
Village- Balahata, P.S.- Uchakagaon, Distt- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar, Adv.
For the Opposite Party/s : Mr.Amitesh Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in **Uchakagaon P. S. Case No. 273 of 2019** instituted for the offence under Section(s) 30(a) of the Bihar Prohibition and Excise Act, 2018.

The petitioner is in custody since 29.11.2019.

The allegation is that during routine checking a vehicle was stopped from which 3-4 persons fled away. Recovery of 253.400 liters of prohibited liquor is alleged to have been made from the vehicle in-question. The co-accused, namely, Madho Kumar, was apprehended at the place of alleged recovery, who has disclosed the name of the instant petitioner and some others.

The petitioner's counsel submits that other than the said



statement of co-accused, there is nothing on record to connect the petitioner with the alleged occurrence. There is no recovery of any incriminating material from the petitioner's possession. The submission is of false implication having regard to his criminal antecedents that he was earlier also implicated in Uchakagaon P.S .Case no. 235 of 2018. The recovery is also not in accordance with law.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released 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 **Additional District and Sessions Judge-II-cum-Special Judge Excise Act, Gopalganj**, in connection with **Uchakagaon P. S. Case No. 273 of 2019** subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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

