

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21005 of 2020**

Arising Out of PS. Case No.-235 Year-2018 Thana- UCHKAGAON District- Gopalganj

Dipu Kumar @ Dipu Singh, Son of Bikrama Singh @ Vikrama Singh,
Resident of Village - Bala Hata, P.S.- Uchkagaon, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 26-06-2020 Learned counsel for the petitioner undertakes to remove the defects within three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

This is the second attempt of the petitioner who is seeking regular bail in connection with Uchkagaon P.S. Case No. 235 of 2018 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Earlier prayer for bail of the petitioner was rejected vide order dated 21.01.2020 passed in Cr. Misc. No. 3722 of 2020 after noticing that he was in custody only since 19.12.2019 at the said stage. Liberty was granted to the petitioner to file a



fresh application after a lapse of reasonable period of custody.

Learned counsel for the petitioner submits that the petitioner has remained in custody for over six months in connection with the present case and is ready to abide by the terms and conditions which may be imposed by this Court for purpose of grant of bail.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering the previous order granting liberty to the petitioner to renew his prayer for bail after a reasonable time and the fact that he has remained in custody for six months and there is no chance of conclusion of trial in near future, let the petitioner above named be released on bail in connection with Uchkagaon P.S. Case No. 235 of 2018 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, Excise Gopalganj, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

