

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26605 of 2020**

Arising Out of PS. Case No.-182 Year-2020 Thana- KHAGARIA District- Khagaria

DILIP SAH Son of Bharat Sah Resident of Village - Jahangira Shobhni, P.S. -
Gangaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 12-10-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

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

The petitioner seeks bail in Khagaria (Gangaur) P.S.
Case No. 182 of 2020, registered for the offence punishable
under Sections 25(1-b)a, 26 and 35 of the Arms and section
30(a) of the Bihar Prohibition and Excise Act.

On a tip-off, raid was conducted and one Maruti
Suzuki was stopped and three persons were apprehended.
During course of search, one mobile is said to have been
recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Arms and ammunitions were recovered from possession of co-accused Santosh Yadav and two litres of country made liquor has been recovered from Maruti car of which petitioner is not owner or driver. So far as this petitioner is concerned, only one mobile was recovered. Petitioner is in custody since 04.03.2020 having clean antecedent as stated in para 3 of the petition.

Considering the facts and circumstances of the case, 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 Special Judge (Excise), Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 182 of 2020, subject to 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)

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