

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19970 of 2021**

Arising Out of PS. Case No.-690 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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Dilip Kumar S/O Surya Deo Prasad @ Suryadeo Been R/O Village Belwa
Vrit, P.S Kuchaykot, District Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar
For the Opposite Party/s : Mr. Choubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 01-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the
defects, as pointed out by the office, within four weeks of resumption
of normal court proceeding. In the eventuality of non-removal of
defects within undertaken period, the office will place the matter
before the Bench.

The petitioner seeks bail in connection with Gopalganj (Town)
P.S. Case No. 690 of 2020 registered for the offence punishable
under Sections 30 (a) and 41 (i) of the Bihar Prohibition and Excise
Act.

It is submitted by learned counsel for the petitioner that no
incriminating article has been recovered from the conscious physical
possession of the petitioner rather 411 liters of illicit liquor is said to



have been recovered from the three different vehicles and none of the vehicles belongs to the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He submits that petitioner has been falsely implicated in this case by the police and prosecution has not followed Section 100 Cr.P.C. while making seizure. Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 08.12.2020.

Petitioner is agreed to deposit a sum of Rs. 10,000 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gopalganj (Town) P.S. Case No. 690 of 2020 subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform



the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

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