

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26122 of 2021**

Arising Out of PS. Case No.-77 Year-2020 Thana- SACHIVALAYA District- Patna

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Dipu Mallik @ Dipu Paswan @ Shailesh Abhiraj Son of Surendra Mallik @  
Surendra Paswan @ Suresh Paswan Resident of Village - Yarpur Jhopparpatti,  
P.S.- Sachivalaya, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Smt Sangita Sharma A.P.P.

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

2      27-07-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Special Case No. 4286 of 2020, arising out of Sachivalaya P.S. Case No. 77 of 2020, registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

20 liters of country-made liquor has been recovered from the hut of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Neither the alleged hut nor the seized liquor belongs to this petitioner. Petitioner is in custody since 08.01.2021.

Learned A.P.P. for the State has opposed the bail petition and submitted that petitioner is accused in seven more criminal cases, as stated in paragraph – 3 of bail petition, and



out of them, six cases are of Excise Act.

Considering the aforesaid facts & circumstances and criminal antecedent of the petitioner, the above named petitioner is directed to be released on bail, **after framing of charge**, on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court-below where the case is pending in connection with Special Case No. 4286 of 2020, arising out of Sachivalaya P.S. Case No. 77 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

**(Prabhat Kumar Singh, J.)**

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