

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28854 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- MAHARAJGANJ District- Siwan

DILIP PRASAD S/o- Ram Chandra Prasad Resident of Village- Ratan Paroli,
P.S.- Bhagwanpur Hat, District- Siwan, at present- Jigrawa, Maharajganj,
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-08-2021 This matter is taken up for consideration through
Video Conferencing.

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

The petitioner seeks bail in Maharajganj P.S. Case No.
37 of 2021, registered for the offence punishable punishable
under Section 30(a), 36, 41(i) of the Bihar Prohibition and
Excise Act, 2016.

109.980 litres of foreign liquor has been recovered
from the house of petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from the house which is in joint possession of the family.
Petitioner is in custody since 05.02.2021 having no criminal



antecedent, as stated in para 3 of the petition.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, 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 Additional Sessions Judge IInd-cum-Special Judge, Siwan in connection with Maharajganj P.S. Case No. 37 of 2021, 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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