

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4263 of 2021

Arising Out of PS. Case No.-99 Year-2019 Thana- VAISHALI District- Vaishali

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Dilip Kumar S/o Nawal Rai R/o Village- Chakaku, P.S.- Bhagwanpur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Namrata Mishra

For the Opposite Party/s : Mr. Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 18-03-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Vaishali (Belsar O.P) P.S. Case No. 99 of 2019, registered for the offence under Sections 30(a)/32(2)/41(1) of Bihar Prohibition and Excise Act.

On a secret information that some miscreants have assembled in connection with transportation of illicit liquor, a raid was conducted and three persons were apprehended, who disclosed the name of petitioner, as one of the persons, who is involved in the trade of illicit liquor. On search of the truck in question, total 3766.68 liters of Indian make foreign liquor was recovered.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner. Petitioner has been named in this case on the basis of confessional statement of co-accused, who was apprehended on



the spot, whereas, petitioner has got no concern with the seized liquor. Petitioner is in custody since 03.10.2020. Chargesheet has already been submitted.

Considering the fact that nothing has been recovered from conscious possession of petitioner and chargesheet has already been submitted, the bail application of petitioner is allowed. Let the above named petitioner 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 learned Addl. Sessions Judge-II cum Excise Court, Vaishali at Hajipur in connection with Vaishali (Belsar O.P) P.S. Case No. 99 of 2019, 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 her absence on two consecutive dates without sufficient reason, her 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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