

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5558 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- MANIYARI District- Muzaffarpur

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DIPAK KUMAR @ DEEPAK KUMAR Son of Ramchandra Chaudhary,
Resident of Village- Silout Vimaal, P.S.- Maniyari, District- Muzaffarpur,
Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Gulnar Begum

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection

with Maniyari P.S. Case No. 198 of 2021 registered for offence

punishable under section 30 (a) of the Bihar Prohibition and

Excise Act.

The police got an information that co-accused Sonu

Kumar @ Dhiraj Kumar was about to transporting foreign

liquor in a Maruti van. On this information, police went to the

place of occurrence. 4-5 persons began to flee away, but Sonu



Kumar and Ashok Thakur were apprehended. 150 litres of liquor was recovered from that Maruti car. The apprehended persons disclosed the name of the petitioner.

The learned counsel for the petitioner has submitted that Sonu Kumar and Ashok Thakur have been granted bail by the coordinate Bench in Cr. Misc. No. 52299 of 2021. The petitioner, although, has one criminal antecedent, but the case of the petitioner is on better footing than those who have been granted bail and he is under custody since 25.10.2021.

Considering the above-mentioned facts and circumstances as well as the period of incarceration, i.e. near about seven months, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Maniyari P.S. Case No. 198 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence.

If it is found so, the prosecution will have liberty to



file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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