

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5581 of 2022

Arising Out of PS. Case No.-355 Year-2021 Thana- BAISI District- Purnia

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DHIRAJ KUMAR @ DHIRAJ SINGH S/o Shambhu Prasad, Resident of
Village- Mangla Gauri, P.S.- Vishnupad, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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

ORAL ORDER

2 26-05-2022 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 Baisi P.S. Case No. 355 of 2021 registered for offence
punishable under sections 272, 273 of the Indian Penal Code
read with sections 30 (a), 41/47 of the Bihar Prohibition and
Excise Act.

As per FIR, 846 litres of liquor was recovered from a
truck. Two persons after getting down from that truck, started
fleeing away, but they were apprehended by the police. They



disclosed their names as Dhiraj Kumar @ Dhiraj Singh, the present petitioner, who is driver of that truck and Suraj Kumar, who was co-driver.

The learned counsel for the petitioner has submitted that the petitioner is only driver of that truck and he was not aware of the consignment loaded on the truck. He has submitted further that the petitioner is a person of clean antecedent and he is under custody since 06.12.2021. He has also submitted that on similar footing, co-accused Suraj Kumar has been granted bail by this Court in Cr. Misc. No. 5553 of 2022, vide order dated 25.05.2022.

Considering the above-mentioned facts and circumstances, 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, Purnea in connection with Baisi P.S. Case No.355 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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