

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13792 of 2022

Arising Out of PS. Case No.-128 Year-2020 Thana- PANAPUR District- Saran

DIN DAYAL NUT SON OF LATE SAKALDEO NUT R/O VILLAGE-
SISAI, P.S.- MASHRAKH, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Panapur P.S. Case No. 128 of 2020 for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

Allegation is of recovery of 2200 litres of illicit spirit
from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in the present case. The house from where illicit
spirit was recovered is in joint possession. Nothing has been



recovered from conscious possession of the petitioner. Petitioner has clean antecedent and is in custody since 21.12.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the above mentioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.100,000/- (Rupees one lac) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Panapur P.S. Case No. 128 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take



steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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