

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16821 of 2022

Arising Out of PS. Case No.-422 Year-2020 Thana- VAISHALI District- Vaishali

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DILIP SINGH @ DILIP KUMAR SINGH, Male, aged about 46 years, S/o
Amir Singh, R/o Village Karneji, P.S. Vaishali (Belsor.O.P.), District-Vaishali,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from the date of
resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Vaishali (Belsar O.P.) P.S. Case No. 422 of 2020
registered for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case is that on seeing police team
which was going for raid, the petitioner and co-accused person
Pintu Kumar Singh started running away, leaving behind a car and
motorcycle respectively and from these two vehicles 182.340 liters
of Indian made foreign liquor was recovered. Petitioner is said to



be the owner of car from which recovery was made.

The learned counsel for the petitioner submits that the petitioner has not been apprehended from the spot and nothing incriminating has been recovered from his person or possession. Only on the basis of suspicion, he was arrested and named in this case. Co-accused persons namely Pintu kumar Singh has been granted anticipatory bail vide order dated 02.12.2021 passed in Cr. Misc. No. 62319 of 2021, Umesh Rai has also been granted anticipatory bail vide order dated 21.10.2021 passed in Cr. Misc. No. 40954 of 2021 by Coordinate Benches and co-accused Subodh Rai has been granted bail vide order dated 09.12.2021 passed in Cr. Misc. No. 38875 of 2021. Case of the petitioner stands on similar footing. Charge sheet has been submitted in this case and the petitioner is in custody since 21.11.2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submissions made hereinabove and considering that co-accused persons have been granted privilege of anticipatory bail/regular bail and charge sheet has been filed in this case and the petitioner is in custody since 21.11.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Excise Judge-2-cum-Additional District
and Sessions Judge-2, Hajipur at Vaishali in connection with
Vaishali(Belsar O.P.) P.S. Case No. 422 of 2020, subject to the
following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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