

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24513 of 2022

Arising Out of PS. Case No.-661 Year-2021 Thana- SUPAUL District- Supaul

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Dharmendra Singh @ Dharmendra Narayan Singh Son Of Late Buchchi
Singh R/O Village- Malahani, Ward No.-03, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shail Kumari, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Session Excise Case No. 964 of 2021 for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Act 2016.

As per the prosecution case, it is alleged that on
secret information the raid was conducted in the house of the
petitioner and on search being made altogether 540 ml foreign
liquor was recovered.

It is submitted by the learned counsel for the



petitioner that the alleged recovery has been made from the thatched house and the same is joint possession of the family. It is further submitted that only on account of past criminal antecedent, the name of the petitioner has been implicated in this case. It is next submitted that there is complete violation of provisions of section 100 Cr.P.C and this petitioner is in custody since 05.02.2022.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has been involved in two other case of similar nature.

Having heard the rival contentions of the parties and taking into consideration the fact that recovery has been made from the thatched house of the petitioner which was in the joint possession family and moreover, this petitioner is in custody since 05.02.2022, though investigation has already been concluded and the charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge1st, Supaul in connection with Supaul P. S. Case No.661 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions



which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above- mentioned order shall not be delayed for purpose of or in the name of verification.

(Harish Kumar, J)

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