

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26562 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- DELHA District- Gaya

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DILIP THATHERA @ DILIP SAO Son of Late Janaki Sao Resident of
Mohalla - Dhaniya Bagicha, Police Station - Delha, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Rajendra Singh

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

ORAL ORDER

2 31-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of

the petitioner for the offences alleged under Section 30(a) of the

Bihar Prohibition and Excise (Amendment) Act, 2018,

registered in connection with Delha P.S.Case No. 68 of 2022.

As per allegation, two persons were intercepted when

they were travelling by a scooty and total 9 litres of liquor was

recovered from their possession.

The learned counsel for the petitioner has submitted



that he is in custody since 11.03.2022 and co-accused Munna Das was granted bail by the court below itself. The bail application of the present petitioner was rejected only on the ground that he has criminal antecedents of Delha P.S.Case No. 96 of 2013 which was prior to coming into force of new Prohibition Act.

Considering the period of custody of the petitioner, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Gaya in connection with Delha P.S.Case No. 68 of 2020, subject to the following conditions:-

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

2. 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 as provided
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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