

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39261 of 2021

Arising Out of PS. Case No.-475 Year-2020 Thana- BARH District- Patna

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DHARAMVEER SINGH @ DHARAMDEV S/O LATE RAM ISHWAR
SINGH R/O MAHAMMADPUR, BACK SIDE OF SABITA CINEMA
HALL, P.S-BARH, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner, who is in custody since 08.03.2021,
seeks bail in connection with Barh P.S. Case No. 475 of 2020,
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that on receiving
secret information regarding keeping of huge quantity of liquor
in semi constructed building near Sabera Cinema hall, a raid
was conducted. On seeing the Police personnel, the accused
persons fled away from the spot. The name of petitioner along



with other co-accused was taken by the local people, who had made allegation that the accused persons are involved in illicit trade of liquor.

Learned counsel appearing on behalf of the petitioner submits that nothing has been recovered from the possession of the petitioner. He further submits that petitioner is accused in two other cases due to that reason, the petitioner has been roped in the present case as well.

Learned A.P.P. for the State, however, opposes the prayer for grant of bail to the petitioner and submits that trade of illicit liquor is rampant in the State of Bihar and the petitioner is a member of such organized trade of liquor and as such, he does not deserves to be released on bail.

Considering the aforesaid facts and circumstances of the case, the Superintendent of Police, Patna having jurisdiction shall submit a report with respect to the conduct and criminal antecedent of the petitioner before the Court below as to whether the petitioner is accused in any other case as has been stated in paragraph No.3 of the application as well as in paragraph No.2 of the supplementary affidavit within a period of two weeks and upon submission of such report, if no any other case is pending, the petitioner is directed to be released on



bail on furnishing bail bond of Rs. 1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Special Court, Excise, Patna in connection with Barh P.S. Case No. 475 of 2020 (Special Case No. 7753 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.

(Purnendu Singh, J)

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