

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40621 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- KEWATI District- Darbhanga

Dilip Roy Son Of Vishwanath Roy R/O Village- Shubhankarpur, P.S.- Town,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2022 Let the defect(s) if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Keoti P.S. Case No. 139 of 2022, lodged under Section 30(a) of
the Bihar Prohibition & Excise Act, 2016.

As per prosecution case, total recovery of 120 litres
of Nepali country made liquor was alleged to be recovered from
the dicky of tempu. Petitioner is not apprehended from the place
of occurrence.

Learned counsel for the petitioner submits that the
present petitioner was neither owner nor driver of the vehicle.
His name has been figured in this case by virtue of the statement



made by the villagers. He is in custody since 28.05.2022, charge-sheet has already been filed in this case having one criminal antecedent. Learned counsel further submits that he is ready to fulfill all the conditions whatsoever imposed by the Court.

Learned APP for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of Special Judge-1st (Excise Act), Darbhanga in connection with Keoti P.S. Case No. 139/2022, subject to the conditions as laid down under Sections 437(3) of Cr.P.C. alongwith other following conditions:

(A.) The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

(B.) One of the bailor shall be close relative who shall file affidavit before the Court about his relationship with the petitioner.



(C.) The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Ranjeet/-

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