

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68953 of 2021

Arising Out of PS. Case No.-119 Year-2021 Thana- PATEPUR District- Vaishali

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DHIRENDRA SINGH @ DHIRENDRA KUMAR SINGH Son of Late Raj
Kumar Singh @ Late Ram Pukar Singh Resident of Village - Mandaidih, P.S.
Patepur, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand,Adv

For the Opposite Party/s : Mr.Syed Mojibur Rahman,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 420,467,468,414,120(B) of
the Indian Penal Code and Sections 30(a),32(ii),38(ii),41(i) of
Bihar Prohibition and Excise Act, 2018.

Recovery is of 2359.21 liters of Indian made foreign
liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present



case. He further submits that it appears from the FIR as well as seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from two vehicles in question. He further submits that the petitioner is not apprehended on the spot. He further submits that the similarly situated co-accused, namely, Deepak Kumar has been granted bail vide order dated 03.03.2022 in Cr. Misc. No.63149 of 2021 and another co-accused namely, Manoj Kumar Chauhan has been granted privilege of anticipatory bail vide order dated 01.04.2022 in Cr. Misc. No.64524 of 2021 by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 11.06.2021.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has carried eleven cases of similar nature.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousands) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Patepur Police



Station Case No.119 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that 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 cancellation 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.

(Rajesh Kumar Verma, J)

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