

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37607 of 2023

Arising Out of PS. Case No.-395 Year-2021 Thana- UCHKAGAON District- Gopalganj

DIPU SINGH @ DIPU KUMAR SINGH S/O VIKARM SINGH R/O
Village- Balahata, PS. Uchkagaon, Dist. Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra
For the Opposite Party/s : Mr. Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

The petitioner has preferred this application for grant of regular bail in connection with Uchkagaon P.S. Case No. 395 of 2021 dated 21.12.2021 registered for the offences punishable u/ss 379, 279, 337, 338, 427, 353 read with section 34 of the Indian Penal Code and sections 30(a), and 45 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 7.600 litres of country made liquor was recovered from a Bolero vehicle.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has been disclosed by local *chaukidar*. There is general and omnibus allegation against the petitioner. The



petitioner is neither the driver nor the owner of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is also accused in seven other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 13.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Uchkagaon P.S. Case No. 395 of 2021 with the condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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