

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68211 of 2022

Arising Out of PS. Case No.-416 Year-2022 Thana- RIGA District- Sitamarhi

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DILIP KUMAR, Son of Jay Kishor Yadav @ Jay Kishor Ray Resident of
Village - Patniya, Ward No.- 6, P.S.- Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv

For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would
honour his undertaking in the instant proceedings regarding supply of
requisite court fee etc. within two weeks from the date he is called
upon to do so by the office.

Petitioner seeks bail in connection with Riga P.S. Case No.
416 of 2022 registered under Section 414 of Indian Penal Code and
Section 30(a) of Bihar Prohibition and Excise
Amendment Act, 2018.

Two cars and four motorcycles were searched and found to be
transporting illicit liquor (745.5 litres). As per prosecution case, the
petitioner was seen fleeing away from one of the vehicles (Santro
car) from which 270 litres liquor has been recovered.

Learned counsel for the petitioner submits that even as per
prosecution case, he was not in the vehicle at the time of recovery.
He was crossing by place and has been arrested on suspicion. Having



no antecedents, he has remained in custody since 26.09.2022.
Investigation is also complete.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Special Excise Court No. 1, Sitamarhi in Riga P.S. Case No. 416 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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