

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5109 of 2023

Arising Out of PS. Case No.-417 Year-2021 Thana- BARHARIA District- Siwan

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DILIP KUMAR S/O HARESH SINGH Resident of village- Khanpur, P.S.-
Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 28-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Barharia P.S. Case No. 417 of 2021, registered
for the offenses punishable under Sections 272, 273, 34 of the
Indian Penal Code and Section 30(a) of the Bihar Excise and
Prohibition Act 2016.

As per allegation, three persons were carrying
liquor and when the police chased them, they fled away leaving
the carton containing liquor. 155.52 litres of liquor was
recovered from that carton.

Learned counsel for the petitioner has submitted
that nothing was recovered from the possession of the petitioner.



He is under custody since 26.08.2022 and there is no other cases of similar nature against him.

Considering the above-mentioned facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1, Siwan in connection with Barhariya P.S. Case No. 417 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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