

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1235 of 2023

Arising Out of PS. Case No.-888 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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DABLI KUMAR @ DABLU KUMAR @ KARAN KUMAR Son of Om
Prakash Sao @ Om Prakash Resident of village - Pirdamariya Sidhi Ghat,
P.S.- Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Nand Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
03.10.2022 in connection with Special Case No.6314 of 2022
arising out of Excise (Patna) P.S. Case No. 888 of 2022, F.I.R.
dated 30.09.2022 registered for the offence punishable under
Sections 30(a) and 56(b) of the Bihar Prohibition and Excise
Act, 2016 (Amendment Act-2018/2022).

Recovery is of 150 liters of country made liquor.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that it appears
from the FIR as well as the seizure list that nothing has been



recovered from possession of the petitioner rather the recovery has been made from the motorcycle in question and the petitioner has no concern at all with the alleged recovery of illicit liquor or the motorcycle in question and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, nothing has been recovery from possession of the petitioner, having clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.6314 of 2022 arising out of Excise (Patna) P.S. Case No. 888 of 2022, 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.

(3) 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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