

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24293 of 2024

Arising Out of PS. Case No.-456 Year-2023 Thana- GORAUL District- Vaishali

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Dhiraj Kumar @ Dhiraj Singh S/O Kishori Singh @ Kishori Prasad Singh
R/O Village- Rukmanjari, P.O- Rasulpur Korigaon, P.S- Goraul, Distt.-
Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar
		Mr.Rajeev Ranjan No. II
		Ms. Priyanka Kumari
		Smt. Kumari Rupa
For the Opposite Party/s :		Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases and the allegation is
of recovery of 71.10 litres of liquor from a place behind the
house of Kishori Singh.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and being son of



Kishori Singh, he came to be implicated based on confessional statement of Kishori Singh in police custody, which does not have any evidentiary value. It is also submitted that even alleged recovery is from a place, which does not belong to the petitioner.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Goraul P. S. Case No.456 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, in



that event, the present anticipatory bail application shall not be
given effect to.

(Satyavrat Verma, J)

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