

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53018 of 2024

Arising Out of PS. Case No.-157 Year-2021 Thana- BAISI District- Purnia

Md Dilbar @ Md Dilvar Son of Jafir @ Md. Jhapik Alam Resident of Lokani,
P.S. - Dagarua, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-08-2024 Heard Mr.Md Fazle Karim,learned counsel for the
petitioner and Mr.Mukesh Kumar Singh, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
09.05.2024 in connection with Baisi P.S. Case No. 157 of 2021,
F.I.R. dated 06.06.2021 registered for the offence punishable
under Sections 272,273 of IPC and Sections 30(a),41,47 of
Bihar Prohibition and Excise Act.

3. Recovery is of 40.990 liters of foreign liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case on the basis of
disclosure made by the apprehended co-accused person and
except the statement of co-accused person, no other material has
come during investigation against the petitioner to suggest the



involvement of the petitioner in the present occurrence and the petitioner is in custody since 09.05.2024.

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

6. Considering the aforesaid fact, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner and the name of the petitioner has been transpired on the basis of disclosure made by the apprehended co-accused person, 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 Exclusive Special Judge (Excise-01), Purnea in connection with Baisi P.S. Case No. 157 of 2021, with the following conditions:-

(I) 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.

(II) 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.



(III) 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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