

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66751 of 2024

Arising Out of PS. Case No.-576 Year-2023 Thana- NAGAR District- Vaishali

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Dipak Kumar @ Deepak Kumar Son of Umesh Choudhary R/o Village-
Gandhi Chowk, Bhariya Ward No.22, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-12-2024 Heard Mr. Shivjee Singh, learned counsel appearing

on behalf of the petitioner and Ms. Gulnar Begum, learned APP

for the State.

2. The petitioner seeks regular bail in connection
with Hajipur Town P.S. Case No. 576 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 20.850 litres of Indian
Made Foreign liquor and 30 litres of country made liquor kept
in a plastic bag from the house of the petitioner. Father of the
petitioner namely Umesh Chaudhary was apprehended on the
spot.

4. Learned counsel appearing on behalf of the
petitioner at the outset informs that petitioner having not given



correct information in paragraph no.3 of the anticipatory bail application, bearing Cr. Misc. No.71567 of 2023, the bail bond of the petitioner was not accepted and thereafter the petitioner surrendered before the learned District Court on 27.07.2024 and since then he is languishing in the jail. Learned counsel further submitted that petitioner has filed the present regular bail application and seeks to be released.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the facts and circumstances of the case, the learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1 cum Additional Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 576 of 2023 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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