

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77486 of 2024

Arising Out of PS. Case No.-870 Year-2024 Thana- ALAMGANJ District- Patna

Dhiraj Kumar @ Gabbar S/O Late Jagdish Prasad R/O Sadikpur Sindhua Toli
(Behind Fire Station), P.S- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate
For the State : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Alamganj P.S. Case No. 870 of 2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 02.10.2024 by the informant, Devendra Kumar Gautam.

3. As per the prosecution story, the informant upon regular patrolling and on secret information, the place was raided and there is recovery/seizure of 88.35 liters of foreign liquor. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession rather from a community hall, he has criminal antecedent and got implicated, is in custody since 03.10.2024 (paragraph no.9 of



the petition).

5. Learned APP for the State opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the aforesaid submissions as also the fact that the recovery/seizure is from a common hall, not from his personal possession and he is in custody since 03.10.2024, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, in connection with Alamganj P.S. Case No. 870 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his



attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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