

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10230 of 2025

Arising Out of PS. Case No.-825 Year-2020 Thana- NAGAR District- Vaishali

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Dinesh Singh, Son of Ram Balak Singh, R/o Village - Mathura, P.S.- Bidupur,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The application for grant of bail to the petitioner who is in custody in connection with Hajipur Town P.S. Case No. 825 of 2020 registered for the offences punishable under Sections 30(a), 30(c) and 38 of the Bihar Prohibition and Excise (Amendment) Act.

3. Allegedly, on a secret information regarding concealment of huge consignment of foreign liquor in a shop bearing Shop No. 21/A and 23/A by co-accused Raju Rai, Manoj Chaudhary, Vishal Kumar and Sunny Kumar, the police conducted raid. It is further alleged that in presence of the competent authority, a search was made and from the aforesaid two shops, total 435.39 liters of Indian Made Foreign Liquor



was recovered.

4. Learned counsel for the petitioner contended that though the name of the petitioner has not been arrayed as an accused in the column list of the accused, however, on the last portion of the written report, it has been alleged that one of the Shop Nos. 23/A was being allotted to the petitioner. It is the contention of the petitioner that though the shop in question was allotted to the petitioner but the same was handed over to one Annu on rent and due to non deposition of rent, the shop was seized by the concerned Zila Parishad on 15.01.2019, and the alleged occurrence took place on 19.12.2020; since the petitioner was not arrayed as an accused in the accused column therefore he was under impression that till date he has not been made accused and hence delay has occurred. It is lastly contended that the other co-accused persons having more or less identical allegation have been allowed bail by this Court in Cr. Misc. Nos. 49341 of 2021, 51578 of 2021 and 57066 of 2021.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that apart from three criminal antecedent of the petitioner as has been disclosed in para-3 of the bail application, the petitioner has been evading from the law for the last four years.



6. Regard being had to the submissions made on behalf of the parties and considering the submission of the petitioner that his name has not been arrayed as an accused in the accused column, coupled with the fact that other co-accused persons have been allowed the privilege of bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 825 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.



(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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