

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89588 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- BIBHUTIPUR District- Samastipur

=====

Dhiraj Kumar Singh @ Dhiraj Singh @ Dhiraj Kumar Son of Gouri Shankar
Singh @ Gauri Shankar Singh Village- Sakhmohan PS -Bibhutipur Distt
-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in

connection with Bibhutipur P.S. Case No. 398 of 2024

registered for the offence(s) punishable under Section(s)

274 and 275 of the B.N.S and under Section 30(a) of the

Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant

received a tip-off that Chhotu Singh and Dhiraj Singh (the

petitioner) had brought a large consignment of liquor.

Acting on the said information, a raid was conducted and



two persons, namely, Md. Taufiq Alam and Md. Raunak Alam, were apprehended. Upon search of the truck, a total of 63 litres of foreign liquor was recovered and upon search of a hut, 423 litres of foreign liquor was recovered. It is alleged that the local *chowkidar* disclosed that the petitioner had fled from the place of occurrence.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely on account of the fact that he carries a long list of criminal cases against his name. It has next been submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It has further been submitted that the alleged recovery has been made from a truck and a hut and that the petitioner is neither the owner of the truck nor of the hut. The learned counsel lastly submits that the petitioner has seven criminal antecedents and that he is in custody since 20.08.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 5,000/- in the account of Lawyers'



Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. The learned A.P.P. has vehemently opposed the prayer for bail.

7. Regard being had to the facts and circumstances of the case, 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 the learned court below where the case is pending/successor court in connection Bibhutipur P.S. Case No. 398 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be the local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar



nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Samastipur within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.



8. The bail bond of the petitioner shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Lawyers’ Association Welfare Benevolent Fund.

9. Accordingly, the prayer for bail is allowed.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

aditya/-

U			
---	--	--	--

