

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49845 of 2016

Arising Out of PS.Case No. -208 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Dipu Kumar, son of Shri Harendra Prasad, resident of village - Ramnagar
Bankat, Police Station - Majhauria, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner as well as
learned A.P.P for the State.

The petitioner seeks bail in connection with Bairiya
P.S. Case No. 208 of 2016 registered for the offences punishable
under Sections 38(ii), 41(i), 42 (i) (ii) and 44(i) of the Bihar
Excise (Prohibition) Act, 2016.

Prosecution case is that on secret information,
policy party raided the house of Sanjay Kushwaha and recovered
25.5 litre wine under the *Palang* on which Deepak Kumar and
Dipu Kumar was found sleeping.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. The petitioner has
falsely been implicated in the present case and he is languishing in
custody since 15.10.2016. No incriminating substance as alleged



has been recovered from the conscious possession of the petitioner or from his house. The alleged recovery has been made from one Sanjay Kushwaha.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

In the facts and circumstances stated above, the petitioner, above named, is directed to 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 Additional Chief Judicial Magistrate-IV, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 208 of 2016.

(Arvind Srivastava, J)

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