

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15178 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -SONBERSA District- SITAMARHI

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Dipendra Kumar S/o Shivjee Rai, R/o Village- Jaynagar, P.S.- Sonbarsa,
Distt.- Sitamrhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sonbarsa P.S. Case No.
14 of 2018 registered under Sections 272 and 273 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

305.100 litres of Nepali saufi wine is said to have
been recovered from the khalihan of Rahul Kumar @ Mian and
the petitioner Dipendra Kumar and one other accused Saroj Sah
were apprehended on the spot.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern



either with the seized liquor or with the place of recovery. He has been falsely implicated in the case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence. He has no criminal antecedent. He has been languishing in custody since 28.01.2018. Said Rahul Kumar @ Mian has been enlarged on anticipatory bail by a co-ordinate bench of this court vide order dated 15.03.2018 passed in Cr. Misc. No. 15008 of 2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Sonbarsa P.S. Case No. 14 of 2018.

(Prakash Chandra Jaiswal, J)

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