

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21466 of 2020

Arising Out of PS. Case No.-439 Year-2020 Thana- MADHAURAH District- Saran

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Dippu Kumar Rawat @ Dippu Kumar @ Dipu Kumar aged about 26 years,
Gender-Male Son of Shatrughna Raut @ Satrohan Raut Resident of Village -
Vikrampur, P.S. - Marhorah, District - Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Dewendra Narain Singh, Advocate
For the Opposite Party : Mr.Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 24-07-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection
with Marhowrah P.S. Case No. 439 of 2020 for offences under
Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel appearing on behalf of the petitioner
would submit that there is one case pending against the
petitioner but not under the Bihar Prohibition and Excise Act.

In the instant case 200 litres of raw spirit was seized
from a tractor. It is the case of the prosecution that on secret
information, the police party conducted raid and recovered 200
litres of raw spirit. The petitioner was allegedly among 6-7
persons who fled away leaving the tractor and raw spirit.



Learned counsel for the petitioner submits that the petitioner is neither owner of the tractor nor owner of raw spirit.

Considering the fact that nothing was recovered from the house of the petitioner or from his possession and he is neither owner of the tractor nor trailer carrying 200 litres of raw spirit, the Court is inclined to grant bail to him subject to the condition that the petitioner has to deposit Rs.25,000/- in cash. On depositing the amount of Rs.25,000/-, petitioner, above-named, in the event of arrest or surrender within one month from today, shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Marhowrah P.S. Case No. 439 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.25,000/- (Rupees twenty five thousand) shall abide by final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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