

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30554 of 2020

Arising Out of PS. Case No.-254 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Dinesh Kumar S/o Shiv Lal Singh R/o Village- Vishanpur Chok, P.S.-
Muffasil, Dist- Samistipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioner and

learned APP for the State.

The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Mufassil P.S. Case No. 254 of 2020, registered
under section 30(a) of the Bihar Prohibition and Excise Act,
2016.

As per allegation in the F.I.R., door of the house of
the petitioner was broken and on search 14.55 litres of IMFL
was recovered from under the bed of the petitioner.

It is submitted by learned counsel for the petitioner
that the allegation of recovery is false and malicious. The
petitioner has been falsely implicated in the case because of



dispute with local Chowkidar. It is for this reason no family member of the petitioner was arrested at the spot. He has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case including the fact that the petitioner has no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Mufassil P.S. Case No. 254 of 2020, he will be enlarged on bail on furnishing bail bond of Rs 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Excise Court, Samastipur subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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