

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43652 of 2021

Arising Out of PS. Case No.-280 Year-2021 Thana- NARPATGANJ District- Araria

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DIPESH KUMAR @ DIPESH KUMAR YADAV Son of Satya Narayan
Yadav Resident of Village- Khaira- Chand, Ward No.-7, P.S.- Narpatganj,
Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Adv.

For the Opposite Party/s : Ms.Veena Rani Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Narpatganj P.S. Case No. 280 of 2021, registered for the
offence punishable under Sections 30(a), 41 and 47 of the
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 430 liters of
illicit Nepali liquor from three vehicles and the petitioner and
other accused persons were arrested from the spot.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is
languishing in custody since 22.6.2021. The learned counsel
for the petitioner has further submitted that similarly situated



co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 29.10.2021 passed in Cr. Misc. No. 43149 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge, Araria in connection with Narpatganj P.S. Case No. 280 of 2021.

(Mohit Kumar Shah, J)

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