

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2868 of 2022**

Arising Out of PS. Case No.-284 Year-2021 Thana- HARLAKHI District- Madhubani

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DIPAK KUMAR Son of Jeevachh Mahto Resident of Mohalla- Ward No. 29,  
Allalpatti, Near 24 No. Gumti, Ahila, P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr. N.K. Prasad

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      26-05-2022                      Heard the parties.

Petitioner seeks regular bail in connection with Harlakhi PS Case No. 284 of 2021 instituted for the offence under Sections 272, 273 , 414 of the IPC and Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act 2018.

765 liters of illicit Nepali liquor has been recovered from a red colour *Sumo* car.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive. Learned counsel next submits that no illicit liquor has been recovered from the possession of the petitioner.



Learned counsel further submits that petitioner is neither the owner nor the driver of the *Sumo* car in question. Learned counsel next submits that the petitioner is a labour doing domestic chores in the house of the informant and there was some dispute relating to payment as a result of which the informant falsely implicated the petitioner in the present case. Learned counsel next submits that during search and seizure procedures prescribed under Section 100 of the Cr.P.C. and the Excise Act have not been followed. Learned counsel next submits that petitioner has no criminal antecedent, he is in custody since 29/10/2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Regard being to the submissions made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent, he is in custody since 29-10-2021, charge sheet has already been submitted and there is no likelihood that petitioner will abscond or tamper with the evidence, as such, I am inclined to grant regular bail to the petitioner .

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- ( twenty thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge II cum Special  
Judge (Excise), Madhubani in connection with Harlakhi PS  
Case No. 284 of 2021.

(Anil Kumar Sinha, J)

praful/-

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