

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24162 of 2021

Arising Out of PS. Case No.-972 Year-2020 Thana- MADHAURAH District- Saran

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DIPAK RAI S/o Pasuram Rai Resident of Village- Dumari Chhapia, P.S.-
Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-03-2022 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 Marhowrah P.S. Case no. 972 of 2020 instituted for the offence under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 35 liters of spirit from a motorcycle and taking advantage of darkness, petitioner succeeded in fleeing away from the place of occurrence.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery. The alleged vehicle belongs to Abdul Rahman Ansari, which appears from para-4 of the supplementary affidavit. Petitioner was not apprehended on spot.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Marhowrah P.S. Case no. 972 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 learned Additional District and Sessions Judge Ind-cum-Special Judge, Excise, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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