

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35863 of 2021

Arising Out of PS. Case No.-206 Year-2018 Thana- MOKAMAH District- Patna

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DIPAK KUMAR @ BUNTA @ BUNTHA S/O Sri Harivans Singh @
Haribansh Singh Resident of Village - Shivnar, P.S. - Mokama, District -
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard learned counsel for the parties via video
conferencing.

Petitioner seeks regular bail in connection with
Mokama P.S. Case No. 206 of 2018 / Special Case No. 7207 of
2018 registered for the offence under Sections 30(a), 41 of the
Bihar Prohibition and Excise Act, 2016.

Prosecution story in brief is that Police on the basis of
secret information that illicit liquor has been kept in Pick- Up
Van standing in the court yard of the Middle School in the
village- Shivnar, proceeded towards the place of occurrence and
recovered 1980 liters of illicit liquor from the said vehicle. The
name of the petitioner has been disclosed by the local residents.

Learned counsel for the petitioner submits that
petitioner is not concerned with the illicit liquor and neither he
is the owner of the Pick Up Van nor its driver. He further
submits that no illicit liquor has been recovered from the
possession of the petitioner and / or vehicle belonging to him.



Petitioner is in custody since 01/03/2021 having no criminal antecedent of similar nature of offence.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that no illicit liquor has been recovered from the conscious possession of the petitioner, he is not the owner of the Pick Up Van from which illicit liquor has been recovered, he is in custody since 01-03-2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, 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 Special Judge, Excise, Patna in connection with Mokama P.S. Case No. 206 of 2018 / Special Case No. 7207 of 2018.

(Anil Kumar Sinha, J)

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