

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33864 of 2022

Arising Out of PS. Case No.-352 Year-2021 Thana- TAJPUR District- Samastipur

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DIPAK KUMAR @ DEEPAK KUMAR SON OF MANOJ RAY @ MANOJ
KUMAR RAY R/O VILLAGE- NAUWA CHOWK, P.S.- SARAIKARANJAN,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a) and
41(i) (ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of four cases out of which in two cases
he is on bail and allegation is of recovery of 164.325 liters
liquor from a Swift Dzire car.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that the petitioner is neither the owner nor the driver



of the vehicle and he came to be implicated at the instance of local people but the name of the local people is not disclosed in the FIR, it is thus submitted that the police deliberately implicated the petitioner because of his antecedents.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Tajpur P.S. Case No. 352 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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