

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36224 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Dipak Kumar Rai @ Dipak Kumar Son of Baijnath Rai @ Baij Nath Ray R/o
Vill- Moujabari Ghat Ward No. 15, P.S.-Kochadhaman Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a)/32/41/47 of the
Bihar Prohibition and Excise Act.

36 litres of foreign liquor has been recovered from a
Maruti Suzuki Car. One person was arrested at the spot who
disclosed the name of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got two
criminal antecedents of similar nature as stated in paragraph-3 of
the bail application. It is submitted that there is no recovery from
the conscious possession of the petitioner. It is also submitted that
petitioner is not the owner of the said Maruti Suzuki Car.

Petitioner is agree to deposit a sum of Rs. 25,000/-



(rupees twenty five thousand) in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 2nd, Special Judge (Excise), Kishanganj in connection with Kochadhaman P.S. Case No.186 of 2021, giving rise to Special Case No.231/2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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