

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36353 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

DIPAK KUMAR RAI @ DIPAK KUMAR Son of Baijnath Rai Resident of
Village - Moujabari Ghat Ward No.- 15, P.S.- Kochadhaman, District -
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 SUNIL KUMAR PANWAR
ORAL ORDER

3 13-10-2022 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 Kochadhaman P.S. Case no. 202 of 2021 instituted for the
offence under Sections 272, 273, 420 of the IPC and Section
30(a) , 41(1) and 47 of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 126 litres of
IMFL from a swift car, which was loaded for selling purpose in
Charaiya village. Petitioner along with co-accused Jitan Poddar
managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. Petitioner has no concern with the alleged recovery or with the vehicle in question. On secret information, petitioner has been made accused. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

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 Kochadhaman P.S. Case no. 202 of 2021, 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, 2nd Special Judge (Excise) Kishanganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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