

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42222 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- UJIYARPUR District- Samastipur

DINESH PODDAR Son of Ramashray Poddar Resident of village-
Ramchandrapur, Andhail, P.S- Ujiarpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-12-2022 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 Ujiarpur P.S. Case no. 121 of 2022 instituted for the offence under Sections 30(a), 41(i)(ii) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 1206 liters country made foreign liquor from a Bolero Pickup bearing Registration no. BR06-GC-5209.

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. He has falsely been implicated in this case. Petitioner has no concern with the



alleged recovery of illicit liquor. It is further submitted vide para 7 of the petition that the petitioner has already sold the said vehicle through sale latter dated 10.01.2020 along with affidavit in favour of one Lal Babu Kumar and process of permanent transfer of ownership was pending. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

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

The petitioner is directed to deposit a sum of Rs 30,000/- (Thirty Thousand) in the District Legal Services Authority of concerned District.

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 Ujiarpur P.S. Case no. 121 of 2022, 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 Special Court (Excise)-I, Samastipur subject to the conditions as laid down under section



438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 30,000/- (Rs. Thirty thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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