

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49808 of 2022

Arising Out of PS. Case No.-227 Year-2022 Thana- DARIYAPUR District- Saran

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Dipu Kumar Son Of Birendra Ray, Resident of 21, Pahleza Purbari Tola,
Shahpur Diyara, Police Station - Sonpur, District - Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Dariyapur P.S. Case No. 227 of 2022 lodged under Sections
272, 273 and 120(B) of the I.P.C. and Sections 30(a) and 33 of
the Bihar Prohibition and Excise (Amendment) Act, 2022.

As per prosecution case, total recovery of 1790.28
liters of wine is the subject matter of the present case.

Learned counsel for the petitioner submits that the
said recovery was made from two vehicles, one is Mahendra
Pick Up Van and another is DCM Truck. Counsel further
submits that petitioner is the driver of Mahendra Pick Up Van

who was completely unaware of the fact that what is loaded on the van. He further submits that antecedent of the petitioner is clean, he is in custody since 01.05.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge-Ist (Excise Act), Saran at Chapra in connection with Dariyapur P.S. Case No. 227 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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