

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52485 of 2022

Arising Out of PS. Case No.-355 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Dipak Kumar Singh @ Dipak Kumar Son Of Shushil Kumar Singh Resident
Of Village- Chatauni, P.S.- Tariyani, District- Sheohar. At Present Resident Of
Village- Koluha Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 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 Excise Case No. 355 of 2021 instituted for the offence
under Sections 30(a), 32(2) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of total 381.60
illicit country made foreign liquor from a tempo of the petitioner
bearing Reg. No. BR006GD-8981.

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. Petitioner is the



registered owner of seized tempo but he has no concern with the alleged recovery of illicit liquor or with the place of occurrence. It is further submitted that 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 20,000/- (Rs. Twenty 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 Excise Case No. 355 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 Exclusive Special Judge, Excise Court No.II, Muzaffarpur 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.
20,000/- (Rs. Twenty thousand) by the petitioner in the account
of the concerned DLSA.

(Sunil Kumar Panwar, J)

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