

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56683 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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Dipak Kumar, S/O Sanjay Saw, Resident of Village- Sahjanandpur, Ward No-29, P.S.- Dhansar, District- Dhanbad (Jharkhan).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Excise (Purnea) P.S. Case No. 282 of 2022
registered for the alleged offences under Sections 30 (a) of the
Bihar Prohibition and Excise Act.

As per prosecution case, on search recovery of
642.060 litres of India made foreign liquor was made from a
pickup van and the petitioner was apprehended who is said to be
the driver of the said pickup van.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner is merely a driver and he was not aware about the material kept in the vehicle. Nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner is in custody since 02.08.2022 and is having clean antecedent. The prosecution report has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of custody of the petitioner along with the submission of prosecution report, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Court No-2, Purnea in connection with Excise (Purnea) P.S. Case No. 282 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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