

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69661 of 2021

Arising Out of PS. Case No.-363 Year-2021 Thana- PHULWARIYA District- Gopalganj

DIPUL KUMAR @ VIPUL Son of Shivnath Sah Resident of Village -
Baletha, P.S. - Siwan Muffasil, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard Ms. Kumari Anupam, learned counsel for the

petitioner and Mr. Arvind Kumar Pandey, learned Additional

Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Phulwariya PS Case No. 363/2021 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act 2018 and under Section 182 (a)(4)/177/179 of the Motor
Vehicles Act.

Police party on the basis of secret information
intercepted two Scorpio Vehicles bearing Registration Nos.
DL1CM0492 and WB32G-2452. One vehicle bearing
Registration No. WB32G-2452 met an accident out of which
two accused persons came out, namely, Tahir Mian and the
petitioner and the police recovered 90 litres of illicit liquor from



the vehicle wherein the petitioner along with one Tahir Mian was found. From another vehicle bearing Registration Nos. DL1CM0492, 540 litres of illicit liquor was recovered.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police due to oblique motive. He further submits that no illicit liquor has been recovered from the conscious possession of the petitioner and he is in custody since 21.10.2021 and the charge-sheet has already been submitted. Similarly situated accused person, namely, Tahir Mian @ Munna @ Md. Tauhid @ Munn @ M.D. Tauhid @ Mohammad Tauheed has been granted bail this Court today itself *vide* Cr. Misc. No. 69217/2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused has been granted bail by this Court, petitioner is in custody since 21.10.2021 and the charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, DIPUL KUMAR @ VIPUL 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Phulwariya PS Case No. 363/2021.

(Anil Kumar Sinha, J)

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