

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27271 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- BHAGWANPUR District- Vaishali

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Dipu Kumar @ Deepak Kumar, Son Of Dharmendra Rai Resident Of Village
- Pojhiya, P.S. - Lalganj, Distt. - Vaishali (Wrongly Given In F.I.R. - Village -
Sathiauta, P.S. - Bhawanpur, Distt. Vaishali)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272,
273 of the I.P.C. and Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and the allegation is of
recovery of 108 litre of liquor from a place near the Bathan of
Rambhu Rai.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that even the alleged recovery is from a place which does not



belong to the petitioner. It is further submitted that petitioner came to be implicated based on confessional statement of Sachin Kumar in police custody which does not have any evidentiary value.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court Court No.1-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Bhagwanpur P. S. Case No.46 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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