

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32137 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Dilip Pandey @ Dillip Panday Son Of Sri Krishna Pandey Resident Of No -
7, Floor - 1, Gayatri Mandir, P.O.- Lohia Nagar, P.S.- Kankarbagh, District -
Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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
30(a), 56(b) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 2135 litres of codeine syrup recovered from the
rented room of the petitioner and two autos were seized.

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 the house belongs to one Ram Lakhan Mahto. It is next



submitted that petitioner has been falsely implicated in the case alleging that he had rented the room of Ram Lakhan Mahto, when petitioner is not a tenant in the said house. The learned counsel submits that police in a mechanical manner implicates innocent people or for some ulterior reason in order to save the real culprits, petitioner came to be implicated, when admittedly petitioner is a person with clean antecedent.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Patna Excise P. S. Case No.144 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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