

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32855 of 2023**

Arising Out of PS. Case No.-19 Year-2022 Thana- GORAU District- Vaishali

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DIPAK KUMAR @ DIPAK RAI S/O SHIVCHANDRA RAI R/O VILL-
Mahua Singh Rai, P.S- Mahua, Distt.-Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Saroj Kumar Choudhary, Advocate
For the Opposite Party/s : Mr Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Goraul (Kathara) Police Station (for brevity, **PS**) Case No 19 of 2022 dated 15.01.2022 registered for the offence punishable under Sections 420, 467, 468, 471, 120B of the Indian Penal Code and Sections 30 (a), 36, 41 (i) of the Bihar Prohibition and Excise Amendment Act, 2018.



As per the prosecution case, there is recovery of 4914 litres of foreign liquor from a truck and two motorcycles.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has five other criminal cases, as stated in paragraph 3 of the bail petition. He is in custody in this case since 05.04.2023. It is further submitted that the petitioner's name has transpired in the statement of the apprehended person. The petitioner is neither the driver nor the owner of the said vehicles

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No I -cum- Additional Sessions Judge, Vaishali at Hajipur in Goraul (Kathara OP) PS Case No 19 of 2022 dated 15.01.2022 subject to the following condition:

The petitioner is directed to remain physically present before the



learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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