

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36246 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- MUSRIGHRARI District- Samastipur

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DIPAK RAY @ DEEPAK KUMAR SON OF HARI KISHUN RAI
RESIDENT OF VILLAGE-TEPARI @ HANSA NAGAR, P.S- BANDRA,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 883.08 liters of foreign liquor is said to have recovered from the pickup van. He submits that petitioner is made accused in the present case because he is the owner of the said pickup van which is a commercial vehicle. He submits that petitioner has no knowledge about the fact that



illegal liquor is being transported by his vehicle. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Considering the facts and circumstance of the case, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Musrigharari P.S. Case No. 09 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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