

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48820 of 2023

Arising Out of PS. Case No.-422 Year-2023 Thana- ARA NAWADA District- Bhojpur

Dipak Yadav @ Deepak Kumar, Son of Babalu Yadav, Resident of Village-
Nawada Gali, PS- Ara Nawada, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Ara Nawada P.S. Case no. 422 of 2023, registered under section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on search being conducted two co-accused namely, Dhanjay Kumar and Sunny Chandravanshi were caught on a motorcycle along with 40 Litres of country made liquor. They further disclosed that they were going to deliver the liquor to the petitioner.

4. Learned counsel for the petitioner submits that from the contents of the F.I.R itself it would transpire that neither the petitioner was arrested at the spot nor any incriminating article was recovered from his possession. His name transpired in the confessional statement of the co-accused



made before police. He has no criminal antecedent.

5. The prayer for anticipatory bail of the petitioner is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., no incriminating article having been recovered from his possession and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Ara Nawada P.S. Case no. 422 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-Ist, Bhojpur at Ara.

(Partha Sarthy, J)

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