

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57921 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- BANGARA District- Samastipur

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DIPAK KUMAR Son of Shiv Chandra Ray @ Shivchandra Rai R/o vill -
Mahua Singhdhar @ Mahua Singhray, 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.Anish Kumar

For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 272 and 273 of the
IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 3546 litres of
illicit liquor from a truck and driver of the said truck was
apprehended on spot who disclosed the name of the petitioner as
one of his associates.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with the
vehicle in question. The name of the petitioner has been
disclosed in this case by the apprehended co-accused before the



police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. He is languishing in judicial custody since 15.4.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl Judge Excise Court No. 1, Samastipur in connection with NH Bangara P.S. Case No. 18 of 2022.

(Sunil Kumar Panwar, J)

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