

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60722 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- MIRGANJ District- Gopalganj

=====

DIPAK SHARMA @ DIPAK KUMAR @ DEEPAK KUMAR son of Late
Chhotelal Sharma Village- Sonar Toli Road Mirganj ka Purab Mohalla Ps-
Mirganj Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mirganj P.S. Case No. 120 of 2023 instituted under Section
30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 42.225 litres of
illicit foreign liquor was recovered from the two motorcycles
and the apprehended persons disclosed the name of the
petitioner who managed to flee away alongwith other co-
accused from the spot.

4. Learned counsel for the petitioner submits that
petitioner has no concern with the alleged offence and has
falsely been implicated in this case due to suspicion. The



petitioner is not the owner of the seized vehicle and nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional District and Sessions Judge-IV-cum-Exclusive Special Excise Court No.-II, Gopalganj in connection with Mirganj P.S. Case No. 120 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashutosh/-

U		T	
---	--	---	--

