

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62338 of 2023**

Arising Out of PS. Case No.-5 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Dipu Singh @ Dipu Kumar Singh S/O Birendra Singh R/O Village- Karnaul,
P.S- Charpokhari, Distt.- Bhojpur At Ara.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 38 of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 1387 liters foreign liquor from the house of one Shiv Bhushan Singh and the petitioner is said to have fled away from the place of occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case on the basis of disclosure made by co-accused Prem Kumar. Petitioner has no concern with the alleged



recovery of illicit liquor or with the place of occurrence. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 26.7.2023.

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

6. 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 released on bail in connection with Charpokhari P.S. Case No. 5 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 1st, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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