

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71567 of 2023

Arising Out of PS. Case No.-576 Year-2023 Thana- NAGAR District- Vaishali

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DIPAK KUMAR @ DEEPAK KUMAR S/O UMESH CHAUDHARY R/O
VILLAGE- GANDHI CHOWK, BHARIYA WARD NO. 22, P.S- HAJIPUR
TOWN, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-11-2023 Heard Mr. Mritunjay Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Humayou Ahmad

Khan, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Hajipur Town P.S. Case No. 576 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Allegation is of recovery of 20.850 litres of Indian
Made Foreign liquor and 30 litres of country made liquor kept
in a plastic bag from the house of the petitioner. Father of the
petitioner namely Umesh Chaudhary was apprehended on the
spot.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is innocent and he has falsely been implicated in the case. He further submits that the house of the petitioner is resided by many family members and he had no knowledge of keeping of the liquor in the house. He is a student and nothing incriminating has been recovered from his conscious physical possession. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner and the fact that the the house of the petitioner is inhabited by many family members and the petitioner has been implicated in the case merely on suspicion, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 No.1 cum Additional District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 576 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal



antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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