

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69048 of 2022

Arising Out of PS. Case No.-111 Year-2022 Thana- CHARPOKHARI District- Bhojpur

DIPU KUMAR SINGH SON OF BIRENDDRA SINGH R/O VILLAGE-
KARNAUL, P.S.- CHARPOKHARI, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable u/s Section 30 (a) of the Bihar Prohibition and Excise Act.

The prosecution story in brief is that on information, the police party reached at house of Munna Kumar, where they found 7.20 litres illicit liquor. Munna Kumar was arrested from the spot. On interrogation, he confessed the name of Dipu Kumar Singh and Ranjit Singh. For verification, police team at Karnaul Village. Seeing the police, accused persons started fleeing but a person handed with a bag was caught. On asking, he disclosed the name of petitioner.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case at instance of his enemies. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has no concern either with the seized liquor or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties



of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Charpokhari P.S. Case No. 111 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the afore-said amount in PM Cares fund.

(Anjani Kumar Sharan, J)

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