

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4498 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- ISHIPUR District- Bhagalpur

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DINESH KUMAR Son of Puran Tanti R/o Chuanpani, P.S.- Bounsi, District-
Banka, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neelambar Jha, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Ishipur (Barahat) P.S. Case No. 38 of 2022 dated 16.05.2022
registered for the offences punishable under Sections 30(a) and
30(f) of Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that at the time of recovery of the alleged liquor
from the *Bolero pick-up* vehicle, the petitioner was not present
in the alleged vehicle and he is owner of the said vehicle and on
account of the said reason, he has been made accused in this
case and the driver namely Santosh Yadav, who was
apprehended with the seized liquor, has been granted bail by a
co-ordinate Bench of this Court vide order dated 23.11.2022



passed in Cr. Misc. No. 52601/2022 and the petitioner has fair and clean antecedent and has been languishing in jail since 21.09.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and also the fact that the investigation has been completed against him and he was not arrested at the spot of recovery from the alleged vehicle, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Ishipur (Barahat) P.S. Case No. 38 of 2022.

(Shailendra Singh, J)

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