

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11950 of 2024

Arising Out of PS. Case No.-602 Year-2023 Thana- HILSA District- Nalanda

Dinesh Prasad @ Dinesh Gope SON OF Doman Gope Resident of VILLAGE
- BISKURWA, POLICE STATION - HILSA, DISTRICT - NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The case was mentioned on the ground that son of
the petitioner is going to get married on 11.03.2024 with Puja
Kumari, daughter of Sri Dharmendra Yadav, resident of village
Barki Ghosi, P.O. Dahabigha, P.S. Hilsa, district Nalanda.

4. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

5. Allegation is of recovery of 26.400 litres of liquor
from a maize field of Shailendra Prasad.

6. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession and he came to be implicated at the instance of the Chawkidar with whom he is on an inimical term. It is further submitted that even the alleged recovery is from a place which does not belong to the petitioner.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hilsa P.S. Case No. 602 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. It is made clear that the provisional anticipatory bail of the petitioner shall be confirmed after seeking a report from the concerned police station i.e. Hilsa Police Station that as to whether the son of the petitioner is getting married to the daughter of Sri Dharmendra Yadav or not. In the event, if the report records that the son of the petitioner is not getting



married with Puja Kumari, daughter of Sri Dharmendra Yadav in that event, the learned trial court shall forthwith cancel the provisional anticipatory bail granted to the petitioner but in the event if the report records that son of the petitioner is getting married on 11.03.2024 with Puja Kumari daughter of Dharmendra Yadav in that event the provisional anticipatory bail shall be confirmed on the same terms and conditions.

(Satyavrat Verma, J)

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