

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19150 of 2024

Arising Out of PS. Case No.-762 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

=====

Dinesh Singh, aged about 41 years (Male), Son Indradev Singh, R/o vill -
Kathrua, P.S. - Aurangabad Town, Distt. - Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Aman Vishal, Advocate
For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Aurangabad Town P.S. Case No. 762/2023 dated 18.10.2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, 72 litres of country made liquor was recovered from the bush.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. No incriminating article has been recovered from the possession of the petitioner. It is submitted that the petitioner



has been made accused in the present case only on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has no concern with the recovered liquor. There is no compliance of Section 100 of the Cr.P.C. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Aurangabad (Bihar) in connection with Aurangabad Town P.S. Case No. 762/2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

