

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42975 of 2024

Arising Out of PS. Case No.-711 Year-2021 Thana- KHAGARIA District- Khagaria

Dipak Kumar Rai @ Dipak Rai Son of Ram Naresh Rai Resident of Village-
Thikka Bahadurpur, P.S- Gorul, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Khagaria Muffasil P.S. Case No. 711 of 2021 instituted for
the offences under Sections 30, 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 2934
litres of liquor was recovered from a truck.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner was disclosed by the driver of the truck in
question from where the alleged recovery has been made. No



incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria Muffasil P.S. Case No. 711 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

