

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49652 of 2024

Arising Out of PS. Case No.-316 Year-2024 Thana- BARH District- Patna

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Dipak Kumar Ram Son of Gopal Ram R/O Mohalla- Bazidpur Church Road,
P.S.- Barh, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Barh P.S. Case No.316 of 2024 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 9.5
litres of country-made liquor from the *chabutra* near the house
of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case due to two criminal antecedent. He further submits that the
petitioner was neither present on the spot nor he has any
concern with the recovered liquor. He further submits that the
recovery is made from the *chabutra* i.e. open place. Petitioner



undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Court of Exclusive Special Judge Excise, Barh, Patna/Concerned Trial Court in connection with Barh P.S. Case No.316 of 2024 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

Ashishkr/-
Harshita/-

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