

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66361 of 2024**

Arising Out of PS. Case No.-182 Year-2024 Thana- NAUTAN District- Siwan

Dilip Kumar Patel @ Deepak Patel Son of Hiralal Patel Resident of Village-
Balwa, Ps- Nautan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in

connection with Nautan P.S. Case No. 182 of 2024

registered for the offences punishable under Section 30(a) of

the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has

recovered total 45 liters illicit foreign liquor from the Scooty

bearing Regd. No. BR29BA3002.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as

alleged against him and has falsely been implicated in the



present case. He further submits that the petitioner was neither apprehended on the place of occurrence nor anything incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the owner of the alleged Scooty. He further submits that the petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

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

6. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also the petitioner having no criminal antecedent, let 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 anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Nautan P.S. Case No. 182 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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