

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78598 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- Jaitpur District- Muzaffarpur

Dilip Kumar S/O Javahar Lal Mehta Resident of village Simara ,P.O- Semra,
P.S- Piya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh,, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and Mr.
Damodar Prasad Tiwary, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jaitpur P.S. Case No. 112 of 2024 instituted for the offence under Sections 274, 275 and 3(5) of the BNS and Sections 30(a), 32(ii), 32(iii) and 36 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that huge amount of illicit liquor amounting to 2859.03 liters was recovered from a truck. During investigation, it has come that the said truck belongs to this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that he has



handed over the said truck to one transporter, namely, Rajesh Kumar on 06.01.2024 and in support of this statement, he has filed the said agreement before this Court. Nothing has been recovered from the possession of this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jaitpur P.S. Case No. 112 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Judge Excise Court No. II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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