

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78374 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- SARSI District- Purnia

Dilip Chaudhary S/o Ram Chandra Chaudhary R/o ward no. 5, Near Maturam
Girls High School, P.S. - Banmankhi, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Fazle Karim, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Sarsi P.S. Case No. 105 of 2024 instituted for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 47.250
litres of liquor was recovered from Scorpio.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. It is further submitted that the name of the petitioner has transpired only because he happens to be the owner of the vehicle in question and has no knowledge regarding the goods loaded in the vehicle. 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 lower court within a period of six weeks 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 Sarsi P.S. Case No. 105 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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