

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12041 of 2025

Arising Out of PS. Case No.-829 Year-2024 Thana- WAJIRGANJ District- Gaya

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Dipu Prasad @ Dipu Mahto Son of Yogi Mahto Resident of Village- Sukha
Bigha, P.S.- Wazirganj in the District of Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Wazirganj P.S. Case No. 829 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 400 liters of liquor was recovered from two motorcycles and 2000 litres of soaked Jawa Mahua were destroyed at the spot.

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. Petitioner has no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person namely, Birender Kumar. It is further submitted that motorcycles in question do not belong to the petitioner. The petitioner has no any criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted anticipatory bail by this Court *vide* order dated 17.01.2025 passed in Cr. Misc. No. 664 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, 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 Wazirganj P.S. Case No. 829 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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