

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36506 of 2025

Arising Out of PS. Case No.-260 Year-2020 Thana- BAISI District- Purnia

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Ripan Sarkar S/o- Anukul Sarkar @ Sarkar Anukul Village- Subhash Pally
Dakshin Ps- Karandegi Dalkola Dist- Uttar Dingapur State- West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-06-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Baisi P.S. Case No. 260 of 2020 lodged on 20.10.2020, for the offence punishable under Sections 272 & 273 of the Indian Penal Code read with sections 30(a), 41 & 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, total recovery of 3084.12 litres of foreign liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that petitioner is neither owner nor driver nor *khalasi* of the said tractor and his name has come in this case only by virtue of the confessional statement of the driver who has disclosed that petitioner was in contact with the accused persons and instructing them about the delivery of foreign wine. Counsel further submits that some unknown person has fraudulently obtained SIM in petitioner's name and used the said number for committing crime. Counsel submits that the criminal antecedent of the petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Exclusive Special Judge, Excise Court no.01, Purnea, in connection with Baisi P.S. Case No. 260 of 2020, subject to the conditions as laid down U/s



482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Divyansh/-

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