

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40732 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- CHAKIA District- East Champaran

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DIPAK KUMAR @ BHADHU @ DEEPAK KUMAR @ BHADDU S/O
RAMESH MAHATO R/O Vill.- Bara Chakiya, P.s.- Chakia, Dist.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, 46.42 litres of foreign
liquor was recovered from the bamboo orchard situated near the
house of this petitioner.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. No incriminating article has been
recovered from the conscious possession of this petitioner and
he has falsely been implicated in this case merely on suspicion.
The alleged illicit liquor has been recovered from an open place,



which is accessible to one and all. Petitioner has got one criminal antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Civil Court, East Champaran at Motihari in connection with Chakia P.S. Case No. 155 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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