

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47212 of 2025

Arising Out of PS. Case No.-288 Year-2025 Thana- Excise P.S. District- Patna

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Dipak Kumar S/O Santosh Kumar Village- Kadamkuan Sabji Mandi, P.S.-
Kadamkuan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard Learned Counsel for the petitioner and

Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Excise Patna (Prohibition) P.S. Case No.288 of 2025, for the offence punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016 and Amendment Act, 2022.

3. As per the prosecution, the total recovery of 40 litres of illicit liquor have been alleged to be made from a scooty, 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 also submits that petitioner was not present on the spot and his name has been transpired only by virtue of owner of the said scooty, but he has sold the same to scrap shop. Counsel further



submits that criminal antecedent of the petitioner is clean. He further submits that the the said recovery has not been made from conscious possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

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 learned Court below 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 BNSS, 2023 to the satisfaction of Special Judge Excise-3rd, Patna, in connection with Excise Patna (Prohibition) P.S. Case No.288 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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