

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52061 of 2025

Arising Out of PS. Case No.-224 Year-2025 Thana- DHAKA District- East Champaran

Dipu Patel @ Dipu Kumar S/O Late Munna Patel R/O. Village- Patel Nagar,
P.S.- Dhaka, Dist.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Dhaka P.S. Case No.224 of 2025, lodged on 12.05.2025, under Sections 30(a)/41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 27 litres of country made liquor and 19.5 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 antecedent of the petitioner is not clean. There are four criminal cases of identical nature are pending against the petitioner. Counsel submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He submits that the recovery has been made near pond behind I.B. Dhaka. He submits that the petitioner 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 and submits that antecedent of the petitioner is not clean and there are four criminal cases of identical nature is pending against the petitioner.

6. Considering the criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

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