

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.69873 of 2018**

Arising Out of PS. Case No.-460 Year-2018 Thana- SAUR BAZAR District- Saharsa

Deepak Poddar @ Deepak Kumar Poddar Son of Chandeshwari Poddar @  
Bindeshwari Poddar Resident of Baijnathpur,P.S. Sour Bazaar,Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Suman Kumar Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL ORDER**

2      07-12-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sour Bazar P.S. District- Saharsa Case No. 460 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Informant is the Police Officer, who received secret information that some miscreants has assembled with a motorcycle to commit some crime and on receiving such information, he reached there and on seeing police, miscreants assembled there tried to escape but four of them were arrested. On search, three bottles of Royal Stag Whisky 750 ml.(each) was recovered. On inquiry, it was revealed that Deepak Poddar (Petitioner) who fled away was also involved in illegal business of foreign liquor.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing



has been recovered from the possession of petitioner. He was not apprehended at the spot. His name has surfaced only on statement of apprehended co-accused. Petitioner is in custody since 27.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Saharsa in Special (Excise) Case No. 422/2018, in connection with Sour Bazar P.S. District- Saharsa Case No. 460 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

**(S. Kumar, J)**

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