

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28463 of 2018

Arising Out of PS.Case No. -234 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

Deepak Kumar Sharma @ Deepak Kumar, S/o Late Ganesh Dutt Sharma,
R/o Fatehabad Gorahan, P.S. Sarsi, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 11-05-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with Lalganj
P.S. Case No. 234 of 2016 for offences punishable under
Sections 47A (1) (f) (e), 51, 52 and 54 of the Bihar Excise
Act.

The prosecution case, as lodged by the police
personnel, is that on secret information the police
conducted a raid and found one Magic Pickup van in a



suspicious condition with a motorcycle. From the Pickup van 204 liters of illicit foreign liquor was recovered. All the persons managed to escape. The petitioner was found to be the owner of the said motorcycle.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, was not apprehended on the spot and the motorcycle although belonged to him but he had sold the same to Dharmendra Rai earlier to the raid but no formal registration could be done. He submits that the said motorcycle had also been stolen from the possession of Dharmendra Rai for which he had given information and later on filed a Complaint Case No. 2439 of 2016 before the Chief Judicial Magistrate, Vaishali. The petitioner is languishing in judicial custody since 15.03.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 Additional District and Sessions Judge-II-cum-Special Judge, Vaishali, Hajipur in connection with Lalganj P.S. Case No. 234 of 2016.

(Nilu Agrawal, J)

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