

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6466 of 2019

Arising Out of PS. Case No.-598 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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Deepak Kumar @ Deepak Singh son of Umesh Singh, Resident of Village –
Sundarpatti, P.S. Gopalganj Nagar, District Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate
For the Opposite Party/s : Mr. Ansar Ul Haque

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-02-2019 Heard both sides.

The petitioner apprehends his arrest in Gopalganj
Nagar P.S. Case No.598 of 2018 registered under Section 30(a)
of the Bihar Prohibition and Excise Act.

The police on secret information intercepted one
Wagon R vehicle from which huge quantity of Indian made
foreign liquor was recovered. The police also intercepted one
pick-up van from which huge quantity of liquor was recovered.
One Tribhuwan Singh was apprehended on the spot, who
disclosed the name of petitioner.

Learned counsel for the petitioner submits that save
and except confession of the co-accused Tribhuwan Singh, there
is no material to show the involvement of this petitioner. The



petitioner has got no criminal antecedent and this is the first case in which the petitioner has been made accused and that too on the basis of so-called confession of the co-accused. Even the house of the petitioner was searched but nothing was recovered.

Having considered the fact that save and except the confession of co-accused, there is no material to show the involvement of the petitioner in this case and the fact that nothing has been recovered from possession of the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Gopalganj Nagar P.S. Case No.598 of 2018 (G.R. No.4510 of 2018), subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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