

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16433 of 2019

Arising Out of P.S. Case No.-968 Year-2018 Thana- NAWADA District- Nawada

DEEPAK KUMAR SAHU @ DIPAK KUMAR SAHU, aged about 23 years,
Male, Son of Late Yadu Sahu R/o village- Dhurva, P.S.- Dhurva, District-
Ranchi (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-03-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
05.01.2019 in connection with Nawada (Town) P.S. Case No. 968
of 2018 for the offence alleged under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on patrolling duty they apprehended a Tata
Indica vehicle and the petitioner and one other co-accused were
found sitting in the said vehicle. On search from the vehicle 240
liters of country made illicit liquor was recovered. Accordingly,
a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from the conscious possession of the petitioner. He was just a passenger in the said vehicle, undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

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

Considering the nature of allegations and that the petitioner has clean antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Nawada (Town) P.S.Case No.968 of 2018 to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Nawada, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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