

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33262 of 2019

Arising Out of P.S. Case No.-57 Year-2019 Thana- BHAGWANPUR District- Vaishali

DEEPAK KUMAR, aged about 25 years (Male), Son of Sanjay Kumar @
Vidhayak Resident of Village - Shekhopur Dadhiya, P.S.- Bhagwanpur,
District - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajeev Ranjan No.II, Advocate
For the Opposite Party : Mr.Rajeev Nayan, APP-231

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 30(A) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 32.340 liters of country
made wine was recovered from the side of road.

It is submitted on behalf of the petitioner that there is
general and omnibus allegation against the petitioner. It is
further submitted that no incriminating article has been
recovered from the conscious possession of the petitioner.
Petitioner has got no criminal antecedent. It is also submitted
that no seizure list was prepared, hence, there is violation of



Section 100 of the Cr.P.C. It is also submitted that save and except the confessional statement, there is no material against this petitioner.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur/successor Court in connection with Bhagwanpur P.S.Case No.57 of 2019 (Excise G.R.No.206 of 2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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