

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33940 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- GOPALPUR District- Gopalganj

DEEPAK SAH (Male), aged about 33 years, Son of Jitendra Prasad Resident of Mohalla - Ward No. 8, Dakshin Mohalla, Brahmsthan Road, Mirganj, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-05-2019 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 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 155.520 liters of illicit liquor was recovered from the vehicle.

The contention of the petitioner is that the petitioner has been made accused on the basis of confessional statement of co-accused. He further submits that petitioner is neither owner of the vehicle nor anything has been recovered from the conscious possession of the petitioner. The vehicle in question



does not belong to the petitioner. Petitioner is having no criminal antecedent.

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 (Excise), Gopalganj/successor Court in connection with Gopalpur P.S. Case No. 45 of 2018, 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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