

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71344 of 2019

Arising Out of PS. Case No.-169 Year-2019 Thana- RAJAPAKAR District- Vaishali

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Deepan Kumar @ Deep Narayan Kumar Son of Shankar Sah Resident of
Village - Salkhani, P.S.- Mahua, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Rajapakar (Barati O.P.) P.S. Case No. 169 of 2019 for the
offence punishable under Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 95 liters of
illicit liquor from a motorcycle and one person was arrested,
who is said to have disclosed the name of the petitioner as his
accomplice.

The learned counsel for the petitioner submits that no
offence is made out under the provisions of the Bihar
Prohibition and Excise Act, 2016 inasmuch as neither the
motorcycle in question belongs to the petitioner nor any



recovery of illicit liquor has been made from the house of the petitioner and he has been falsely roped in the present case and made an accused in the present case upon disclosure of his name by one other person, namely, Rosan Kumar. The petitioner is stated to be having clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum- Special Judge (Excise), Vaishali at Hajipur in connection with Rajapakar (Barati O.P.) P.S. Case No. 169 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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