

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73760 of 2019**

Arising Out of PS. Case No.-342 Year-2019 Thana- BELAGANJ District- Gaya

DEEPU KUMAR @ DEEPU YADAV, aged about 27 years, Male, Son of
Ram Keshwar Prasad @ Rameshwar Prasad Resident of Village - Jogiya
Simra, P.S.- Belaganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 25-11-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Belaganj P.S. Case No. 342 of 2019
registered under Sections 30(a) of the Bihar Excise
Prohibition Act, 2016.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case. It is
submitted that the petitioner was not caught on spot nor any
incriminating article was recovered from the possession of
the petitioner.

Learned A.P.P. for the State has opposed the
prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein it is the submission of the petitioner that he has been made accused only because he happened to be the nephew of the co-accused Vilash Yadav, near whose chimney (Bhatta) the illicit liquors were allegedly stored and being sold as also that this petitioner has no criminal antecedent, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya, in connection with Belaganj P.S. Case No. 342/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to



any police officer;

(iii) a condition that the person shall not leave
India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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