

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82253 of 2019

Arising Out of PS. Case No.-192 Year-2019 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Deepak Kumar Singh @ Dipak Kumar Singh Son of Ram Bali Singh
Resident of Village - Tara, Ward No.6, P.S.- Mohiuddin Nagar, Distt.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and

Additional Public Prosecutor for the State.

The petitioner seeks bail in **Mohiuddin Nagar P.S.**
Case No. 192 of 2019, registered for the offence punishable
under Sections 272, 273 of the Indian Penal Code and section
30(a) of the Bihar Prohibition and Excise Act, 2016.

15 litres 300 ml. of country made liquor is alleged to
have been recovered from the house of this petitioner and
petitioner was apprehended on the spot.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. The house is in joint possession. Nothing has been
recovered from conscious possession of this petitioner. The



provision of section 100 Cr.P.C has not been followed. Petitioner is in custody since 24.10.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge Ind-cum-Special Judge Excise, Samastipur** in connection with **Mohiuddin Nagar P.S. Case No. 192 of 2019**, subject to the conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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