

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23799 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- GANGABRIDGE District- Vaishali

DEEPAK KUMAR S/o Sewak Rai Resident of Village- Saidabad, P.S.-
Raghopur, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-09-2020 Heard Mr. Anil Kumar, learned counsel for the

petitioner and Ms. Madhuri Lata, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Ganga
Bridge P.S. Case No. 24 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

The allegation against the petitioner is that the Police
intercepted a Magic vehicle and upon seeing the Police party
two persons tried to flee away. However, the Police
apprehended one person namely Deepak Kumar (petitioner). He
disclosed the name of person who managed to flee away is
owner of the said Magic vehicle. The Police recovered a total
quantity of 1350 literes of country made liquor from the said



Magic vehicle.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. Learned counsel further submits that the petitioner has got no concern with the Magic vehicle in question and referring to paragraph-9 he submits that the petitioner is neither the owner nor driver of the seized Magic vehicle. Learned counsel also submits that the procedure prescribed under Section 100 Cr. P.C. regarding search and seizure has not been followed by the Police. Learned counsel next submits that the petitioner has no criminal antecedent and he is in custody since 18.03.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that the petitioner has got no criminal antecedent and he is not the owner of the Magic vehicle, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise Court, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No. 24 of 2020.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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