

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69198 of 2019

Arising Out of PS. Case No.-214 Year-2019 Thana- KARJA District- Muzaffarpur

Deepak Kumar Gupta, Son of Baldev Sah Resident of Village-Manikpur, P.S.-
Saraiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Amarendra Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2020 Heard Learned Counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under Sections 30(a) and 38 of Bihar Prohibition and Excise Act, 2016.

17.460 litres of foreign liquor has been recovered from the line hotel of the petitioner.

Learned counsel for the petitioner submits that he has falsely been implicated in this case and the recovery is not from his conscious possession. Provision of Section 100 Cr.P.C., has not been followed while making search and seizure. Petitioner is in custody since 15.08.2019. Petitioner has no criminal antecedent.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner,



mentioned above, be released on bail on furnishing the bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Learned Spl. Judge, Excise, Muzaffarpur in Karja Police Station Case No. 214 of 2019, on the following conditions:-

(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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