

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38136 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

Deepak Singh @ Deepak Kumar @ Dipak Singh, S/o Ramjash Singh, R/o
Village- Jagdishpur, P.S.- Buxar (Muffasil), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Buxar
(Muffasil) P.S. Case No.156 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

The petitioner along with co-accused Raj Kumar
Singh alias Mas has abandoned a vehicle in which 293.76 litres
illicit liquor was being transported and have fled away.

Counsel for the petitioner submits that even as per
the prosecution case, the petitioner has not been apprehended in
the vehicle from which recovery has been made. He has been
remanded in this case on 18.03.2021 after his arrest in Rajpur
P.S. Case No.27 of 2021 for similar offences. Other than



suspicion, based on the statement of co-accused, there is no material to connect the petitioner with the alleged recovery.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd Cum Special Judge, Excise Act, Buxar, in connection with Buxar (Muffasil) P.S. Case No.156 of 2020, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails



to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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