

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41634 of 2021**

Arising Out of PS. Case No.-162 Year-2021 Thana- BHELDI District- Saran

DEEPAK KUMAR @ DIPAK KUMAR S/O RAJ VANSHI PRASAD @
RAJWANSHI PRASAD R/O VILLAGE-BANDE, P.S-AMNOUR,
DISTRICT-SARAN, CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 15-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bheldi P.S. Case No. 162/2021, registered for the offence punishable under Sections 413,414,34 of the Indian Penal Code and Section 30(a), 36 and 41(i) of the Bihar Prohibition and Excise, 2016.

The allegation is regarding recovery of huge quantity of illicit liquor from a truck and the name of the petitioner has transpired in the present case in view of the fact that he was sitting in the pick-up van, which was escorting the truck in



question.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 28.5.2021. The learned counsel for the petitioner has further submitted that no illicit liquor has been recovered from the pick-up van in question in which the petitioner was found sitting and was arrested by the police.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the truck in question does not belong to the petitioner and no recovery has been made from the pick-up van in question, of which the petitioner is stated to be the driver, I deem it fit and proper to direct for release of the petitioner on



regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Saran at Chapra in connection with Bheldi P.S. Case No. 162/2021.

(Mohit Kumar Shah, J)

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