

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.642 of 2021

Arising Out of PS. Case No.-12 Year-2019 Thana- SIWAN CITY District- Siwan

DEEPAK SHARMA Son of Vishnu Sharma Resident of Village - Akopur,
Police Station- Mahadeva O.P., District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-03-2021 Heard Mr. Bijay Prakash Singh, learned counsel for
the petitioner and Mr. Nawal Kishore Prasad, learned Additional
Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Siwan
Town (Sarai O.P.) P.S. Case No. 12 of 2019 registered for the
offences punishable under Sections 272, 273 of the Indian Penal
Code 1860 and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation as per the First Information Report is
that the Police on the basis of secret information, proceeded
towards the place of occurrence and upon seeing the Police
party, two persons standing near the Motorcycle started fleeing
away. However, one of them i.e. petitioner was arrested and
upon search, the Police recovered a total quantity of 16.200



litres of illicit foreign liquor from the house of Bhola Yadav and one Platina Motorcycle standing in front of his house.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that the petitioner has got no criminal antecedent and no illicit liquor has been recovered either from his conscious possession or the premises/vehicle belonging to him. Learned counsel also submits that the petitioner is not the owner of the Motorcycle from which the illicit liquor has been recovered. Learned counsel next submits that the petitioner is in custody since 5.1.2019 having no criminal antecedent and charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner has got no criminal antecedent and he is in custody since 5.1.2019, 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, Siwan, in connection with Siwan Town
(Sarai O.P.) P.S. Case No. 12 of 2019.

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

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

