

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3013 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- CHANPATIA District- West Champaran

DEEPAK PATEL SON OF SHAMBHU PATEL Resident of Village - Lauriya,
Ward No.6, P.S.- Lauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Chanpatiya P.S. Case No.
143 of 2020, registered for the offence punishable punishable
under Section 30(a)/56 of the Bihar Prohibition and Excise Act,
2016.

77.040 litres of foreign liquor has been recovered
from a car and this petitioner being driver was apprehended on
the spot.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Petitioner was simply
driving the vehicle and was not aware about the nature of
consignment. Petitioner has no concern with the seized liquor.
Petitioner is in custody since 08.04.2020 having no criminal



antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the fact that no recovery has been made from conscious possession of the petitioner and bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Bettiah, West Champaran. in connection with Chanpatiya P.S. Case No. 143 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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