

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6805 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- FATUA District- Patna

Deepak Kumar S/O Kanhai Paswan R/o Village - Rampur P.S. - Bahadurpur,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.
For the State : Mr. Binod Kumar-III, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Fatua P.S. Case no. 157
of 2020 (Special Case no. 2066 of 2020) registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016 and
sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, on a raid being
conducted on the basis of confidential information received, it is
stated that 41.625 litres of IMFL and a loaded *katta* was
recovered from the house of Vishal Kumar. The petitioner was
also taken into custody.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the person or possession of petitioner who has been implicated in the case only on the basis of suspicion. Co-accused Satish Kumar has been enlarged on bail vide order dated 2.11.2020 passed in Cr. Misc. no. 27220 of 2020. The petitioner has no criminal antecedent and is in custody since 29.2.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner not having any criminal antecedent and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Fatua P.S. Case no. 157 of 2020 (Special Case no. 2066 of 2020) on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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