

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32487 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- GOVINDPUR District- Nawada

Deepak Kumar @ Bada Babu S/o Jagdish Prasad Resident of Village-
Meharpar, P.S.- Laheri, Distt- Nalanda. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Tujabh Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Govindpur P.S. Case no. 211 of 2020 instituted for the offence under Sections 30(a) & 41 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1140 litres of IMFL from beneath the plastic bags containing chaff on a pick-up Van. Driver and one person were arrested who has disclosed the name of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case on mere suspicion as from his mobile number 9631265910, a call was made regarding transaction of liquor. Petitioner has no concern



with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused, which has no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that petitioner is a habitual offender.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Govindpur P.S. Case no. 211 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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