

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22892 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- PANAPUR District- Saran

DEEPAK KUMAR S/O SRI BIJENDRA SINGH R/o village- Sonawalia,
P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha
For the Opposite Party/s : Mrs.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Pannapur P.S. Case No. 14 of 2022 registered for the offences
punishable under Sections 30, 30(a), 38, 41 of the Bihar
Prohibition and Excise Act, 2018.

As per the prosecution case, on information having
been received a raid was conducted. A total of 1200 litres of
liquor was recovered, however, the accused persons abandoning
their motorcycles, etc. managed to flee away. It is stated that one
of the motorcycle was registered in the name of the petitioner.

It is submitted by learned counsel for the petitioner



that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. So far as his implication is concerned, the motorcycle in question had been sold to co-accused Rajesh Nut on plain paper and Rajesh Nut did not take step for registration of motorcycle in his name in the District Transport Office. He further submits that seizure list has not been prepared as per law. Co-accused Suglal Sharma has been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 17743 of 2022. Co-accused Anil Kumar Singh, Hemant Kumar and Rajesh Kumar Singh have been granted anticipatory bail by the co-ordinate Bench of this court vide Cr. Misc. No. 18241 of 2022. He further submits that petitioner is in custody since 16.02.2022 and bears no criminal antecedent.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released 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 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Pannapur P.S. Case No. 14 of 2022, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

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