

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43136 of 2021

Arising Out of PS. Case No.-566 Year-2020 Thana- PHULPARAS District- Madhubani

DEEPU KUMAR @ DEEPU KUMAR YADAV S/O GANGA PRASAD
YADAV R/o village- Inarwa, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti,
Mr. Kumari Shubham, Advocates.
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard Mr. Jitendra Kumar Bharti, learned counsel
for the petitioner and Mr. Arun Kumar Pandey, Additional
Public Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Phulparas PS Case No. 566/2020 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act 2016.

As per First Information Report, the police intercepted
a truck and recovered 3069 litres of illicit liquor and arrested
one Ranjeet Singh from the said truck who disclosed that the
petitioner along with other accused persons is engaged in illegal
trade of liquor.

Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case on the basis of disclosure of his name by arrested co-accused, Ranjeet Singh. Learned counsel further submits that petitioner is not the owner of the truck and he has got no concern with the illicit liquor recovered from the said truck.

He next submits that the petitioner was not arrested from the spot and he is in custody since 28.03.2021. Charge-sheet has already been submitted and the arrested co-accused, Ranjeet Singh has been granted bail by a Co-ordinate Bench of this Court *vide* Cr. Misc. No. 16791/2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court, no illicit liquor has been recovered from the conscious possession of the petitioner or from the vehicle belonging to him, petitioner is in custody since 28.03.2021, charge-sheet has been submitted and the trial is not likely to be concluded in near future due to pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, DEEPU KUMAR @ DEEPU KUMAR YADAV be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties



of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Phulparas PS Case No. 566/2020.

(Anil Kumar Sinha, J)

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