

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45133 of 2022**

Arising Out of PS. Case No.-63 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

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Deepak Kumar Singh @ Deepak Kumar Son of Udaykant Singh R/O Village-
Maheshwara, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate
For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Sadar (Bhalpatti) P.S. Case No. 63 of 2020
registered for the alleged offences under Sections 30(a) and
32(2) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, recovery of 749.425 litres of
India made foreign liquor was made from a truck and the
apprehended co-accused persons named this petitioner as the
person for whom this liquor was being brought.

Learned counsel for the petitioner submits that



petitioner was not apprehended from the spot and nothing has been recovered from his conscious possession. The petitioner has no concern with the allegedly seized contraband and other co-accused persons. The co-accused persons, namely Pawan Dev and Ankit Kumar, who have been apprehended from the spot, have been granted bail by the different Coordinate Benches vide order dated 13.05.20250 passed in Cr. Misc. 18814 of 2020 and the case of the petitioner is on better footing. Charge sheet has been submitted in this case and the petitioner is in custody since 07.06.2022

Learned APP for the State opposes the prayer for bail.

Having regard to the submission made on behalf of the parties and considering that no recovery has been shown from him and also considering his period of custody along with submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-1 (Excise Act), Darbhanga in connection with Sadar (Bhalpatti) P.S. Case No. 63 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:



(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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