

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55587 of 2021

Arising Out of PS. Case No.-95 Year-2021 Thana- KHAJEKALA District- Patna

DEEPAK KUMAR S/o Late Chhote Lal Prasad @ Late Chhote Prasad
Resident of Belbarganj @ Rajkiye School Sindhua Toli Belwarganj, Patna
City, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha, Advocate

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-03-2022 Heard the learned counsel for the petitioner and
Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Khajekala PS case no. 95 of 2021 instituted for the offences punishable under Sections 414 of the Indian Penal Code, Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 25(1-b)/A/26/35 of Arms Act..

The allegation is regarding recovery of 104 liters of illicit liquor from 04 motorcycles being ridden by 08 persons. It is further alleged that no any arm has been recovered from the possession of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is



languishing in custody since 29.03.2021. The learned counsel for the petitioner has further submitted that the petitioner has already been sufficiently punished on account of period of custody already undergone by him.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise, Patna in connection with Khajekala PS case no. 95 of 2021.

(Mohit Kumar Shah, J)

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