

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58848 of 2021

Arising Out of PS. Case No.-248 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Deepak Sharma @ Dipak Sharma Son of Late Bhagwati Sharma Resident of
Village - Laxmi Nagar, P.S.- Yamunapar, Distt.- Mathura (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Excise case no. 248 of 2021 instituted for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 90 liters of
illicit liquor from a Maruti Suzuki Omni Car. The petitioner is
stated to be one of the occupant of the car in question.

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 19.08.2021. The learned counsel for
the petitioner has further submitted that neither the illicit liquor has
been recovered from the conscious possession of the petitioner nor



the car in question belongs to the petitioner.

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 fact that the vehicle in question from which the illicit liquor has been recovered does not belong to the petitioner and the petitioner is stated to be merely an occupant of the said vehicle apart from the fact that the petitioner is having a clean antecedent, 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 Additional District and Sessions Judge II, Gopalganj in connection with Excise case no. 248 of 2021.

(Mohit Kumar Shah, J)

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