

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51097 of 2022

Arising Out of PS. Case No.-127 Year-2019 Thana- DANIYAWAN District- Patna

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Deepak Seth @ Avinash Kumar Son Of Shailesh Kumar @ Sailesh Yadav @
Sailu Yadav, R/V- Saidanpur P.S- Nagar Nausa, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranvijay Singh, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Daniyawar P.S. Case No. 127 of 2019 lodged under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, total recovery of 2209 liters
of foreign liquor is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner has not apprehended from the place of occurrence and
his name has figured in this case by virtue of the confessional
statement made by co-accused. He further submits that there is
one case pending against the petitioner which is not excise
matter.

Learned counsel for the State opposes the prayer for
bail.

In the present facts and circumstances of this case and

the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Patna City, Patna in connection with Daniyawan P.S. Case No. 127 of 2019, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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