

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60506 of 2022

Arising Out of PS. Case No.-174 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

Deepak Kumar Son of Rajkumar Sharma R/V- Jalalpur, PS- Sohsarai, Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), if any, 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 Muffasil P.S. Case No. 174 of 2019 registered
for the alleged offences under Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

As per prosecution case, on a tip off a Tata Sumo
vehicle was intercepted and two persons were apprehended.
From the *dickey* of the vehicle 240 litres of beer was recovered.
The petitioner is said to be the driver of the vehicle from which
recovery has been made.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner and he has nothing to do with the allegedly seized contraband. Other similarly placed co-accused persons have been granted bail by a Coordinate Bench of this Court vide order dated 30.09.2019 passed in Cr.Misc. No. 55576 of 2019. The petitioner is in custody since 23.08.2022 and charge-sheet has been submitted in this case. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of custody of the petitioner along with the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge 1st, Nawada in connection with Muffasil P.S. Case No. 174 of 2019, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:



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

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

(iii) In case of absence for 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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