

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4438 of 2023

Arising Out of PS. Case No.-528 Year-2022 Thana- BARBIGHA District- Sheikhpura

DEEPAK KUMAR, aged about 22 years, male, Son of Binod Tiwary
Resident of Village - Samas Bugurz, P.S.- Barbigha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Barbigha P.S. Case No. 528 of 2022 (Excise Case No.647 of
2022) dated 01.12.2022 registered for the offence(s) punishable
under Section(s) 30(a)/32(ii)/41(i)/52 of the Bihar Prohibition
and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
recovery of 981 litres of foreign liquor and the alleged wine
was recovered from the alleged two vehicles and petitioner
along with other co-accused Manish Kumar was found present
in the 'Renault Triber' car from which 54 litres of foreign liquor
was recovered and the petitioner had no concern with the



alleged 'Bolero' vehicle from which the major part of alleged liquor was recovered and the co-accused, namely, Manish Kumar, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 6930 of 2023 and the petitioner has fair and clean antecedent and he has been languishing in jail since 02.12.2022 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and also the fact that against him, the investigation has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Barbigha P.S. Case No. 528 of 2022 (Excise Case No.647 of 2022) on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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