

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11552 of 2023

Arising Out of PS. Case No.-726 Year-2022 Thana- NAUBATPUR District- Patna

Deepak Kumar Son Of Indrajeet Kumar Rai @ Indrajeet Kumar Das R/V-
Sakhwa, P.S- Pariya Dist- Gaya , At Present R/O Mohalla- Bhuli Block - C
P.S- Bhuli, Dist- Dhanbad Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Naubatpur P.S. Case No. 726 of 2022 registered under sections 414 and 34 of the IPC and Sections 30(a), 32(i)(ii), 36 and 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 288 liters of country made liquor from the Tata Magic vehicle which was being driven by the petitioner and he was arrested by the police.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is



further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern with the seized illicit liquor. It is also submitted that the petitioner is driver of the said vehicle but he had no knowledge about the illicit liquor kept in the vehicle. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.11.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner is directed to deposit a sum of Rs. 15,000/- (Rs. Fifteen Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Naubatpur P.S. Case No. 726 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Special Excise Judge, Danapur.

The bail bonds of the petitioner shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 15,000/- (Rs. Fifteen Thousand) by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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