

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18000 of 2023

Arising Out of PS. Case No.-623 Year-2022 Thana- KESARIA District- East Champaran

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DEEPAK KUMAR S/O LAKHINDRA BHAGAT RESIDENT OF
VILLAGE- BISHUNPURA DAR, P.S- KESARIYA, DISTT.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rahul Singh

For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 272 and 273 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, there has been recovery of
112.60 liters of illegal foreign liquor from a Tata Magic Vehicle
Bearing No. BR-06PD-4642, which was being driven by the
petitioner.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner was apprehended on spot. He submitted that the petitioner has no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C., has not followed in this case. He is languishing in judicial custody since 24.12.2022.

The application for bail is opposed by learned APP for the State.

The petitioner is directed to deposit Rs. 5,000/- (Five thousand) in the account of concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 2, Motihari (East Champaran) in connection with Kesaria P.S. Case No. 623 of 2022.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.



5,000/- (Five thousand) by the petitioner in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

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