

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32199 of 2023

Arising Out of PS. Case No.-334 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

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DEEPAK KUMAR @ DEEPAK YADAV @ MINU S/o- KRISHNA DEV
RAI @ RAMESH BIND Village- Near Naurangi School Janta Road, Ps-
Gardanibagh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in connection with Mohania P.S. Case No. 334
of 2020 dated 20.10.2020 registered for the offences punishable
u/ss 467, 468, 471 and 420 of the Indian Penal Code and u/ss
30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 7173 litres of illicit liquor
is said to have been recovered from the truck. The driver of the
said truck was apprehended who disclosed the name of the
petitioner.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the name of the petitioner has surfaced in this case only on the disclosure made by the driver. The petitioner is neither the driver nor the owner of the said truck. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.04.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur, Bhabua in connection with Mohania P.S. Case No. 334 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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