

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58707 of 2023

Arising Out of PS. Case No.-348 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Deepak Kumar @ Deepak Rai, aged about 37 years (Male), Son of Vidiya Ray @ Vidya Prasad Ray Resident of Village - Bhagwanpur, Gorina, Police Station - Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the State : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Excise Case No. 348 of 2018 instituted under Sections 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 211.23 liters of Indian
made foreign liquor was recovered from the Simar tree and
bushes situated at Kauriya Chour.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Nothing incriminating material has been recovered from
the conscious possession of the petitioner and he has no concern
with the recovered liquor. The petitioner has no criminal



antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise) – 02, Samastipur in connection with Excise Case No. 348 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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