

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57118 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- BHAGWANPUR District- Vaishali

DEEPAK KUMAR Son of Lal Babu Ray Resident of village - Piroi, P.s. -
Goraul, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratima Kumari

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 272, 273 and 414 of the
IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
207 liters of illegal country-made liquor from a Vehicle.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. He
submitted that the petitioner has no concern either with the
seized vehicle or with the wine and the vehicle in question was
driven by other co-accused not by this petitioner. No
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 28.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with Bhagwanpur P.S. Case No. 180 of 2023.

(Sunil Kumar Panwar, J)

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