

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59163 of 2023

Arising Out of PS. Case No.-421 Year-2023 Thana- FATEHPUR District- Gaya

Deepak Kumar @ Deepu, S/o Krishna Sao @ Krishna Sav, R/o Village-Gurpa, P.S- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Fatehpur P.S. Case No. 421 of 2023 instituted under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 144 litres of illicit Indian made foreign liquor was recovered near canal, Amravati Mata Pahari and the chaukidar disclosed that the petitioner is one of the liquor vendors who fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to two criminal antecedents against him. There is no recovery made from physical or conscious possession of the petitioner. He was not present at the place of occurrence. He has no concern with



the said recovered liquor.

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

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 to each to the satisfaction of the learned Exclusive Special Excise, Court No. 01, Gaya in connection with Fatehpur P.S. Case No. 421 of 2023, 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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