

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59199 of 2023

Arising Out of PS. Case No.-424 Year-2023 Thana- SARAIYA District- Muzaffarpur

DEEPAN RAI @ DIPAN RAY S/o LAKHENDRA RAI R/o vill - Kan Karja,
P.S. - Karja, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail registered for the offence punishable under sections 272, 273, 420, 120(b),34 of the Indian Penal Code and sections 30(a), 32(2), 32(3), 33, 36, 41(1), 41(2) of the Bihar prohibition and Excise Act.

Prosecution case relates to recovery of 300 litres spirit from a Bolero and petitioner is said to be the driver of the said vehicle and he was arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery. Petitioner has no concern with the vehicle in question nor with the seized spirit. He has



got no criminal antecedent and languishing in judicial custody since 6.7.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the 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 Spl. Judge, Excise, Court No. II, Muzaffarpur in connection with Saraiya PS Case No. 424 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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