

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62698 of 2023

Arising Out of PS. Case No.-1110 Year-2023 Thana- Excise P.S. District- Kishanganj

DEEPAK KUMAR SAH son of Kareal Lal @ Kare Lal Sah Village- Piparpati
Ps- Jalalgarh Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-10-2023 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 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 177.80 litres of
illicit IMFL from a Hyundai Car of which petitioner was driver
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 or with the vehicle in
question. Provision of Section 100 CR.P.C. has not been
followed by the police officials while preparing the seizure list.



Petitioner is languishing in judicial custody since 7.8.2023.

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

Petitioner is directed to deposit Rs. **20,000/- (Rs. twenty 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 Additional District and Sessions Judge IV, Special Judge (Excise-II) Kishanganj) in connection with Madhya Nisedh PS Case No. 1110 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **20,000/- (twenty thousand only)** by the petitioner in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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