

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65252 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- Excise P.S. District- Supaul

Deepak Kumar (Male), aged about 26 years, son of Maheshwari Kamat, R/o-
Ward No.-24, Kamat Tola, P.S.- Supaul, Dist- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhav Jha, Advocate
For the Opposite Party : Mr. Murli Dhar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-11-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Excise Prohibition Supaul P.S. Case No.
336/2023 dated 28.04.2023 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016, Amended, 2018.

4. As per the prosecution case, total 83.520 litres of
whiskey was recovered from the house of the co-accused Aman
Paswan. The co-accused Aman Paswan has stated that seized



liquor belongs to the petitioner and one co-accused Prince Kumar.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner has been dragged in the present case on the basis of the confessional statement of the co-accused Deepak Paswan. The petitioner has no concern with the house and liquor in question. Nothing incriminating article has been recovered from conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Excise Prohibition Supaul P.S. Case No. 336/2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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