

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64557 of 2023

Arising Out of PS. Case No.-119 Year-2022 Thana- BALIGAON District- Vaishali

Deepak Kumar @ Deepak Singh @ Deepak Kumar Singh, Son of Shivnath
Singh R/o Govindpur Bela, P.S. - Baligaon, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Baligaon P.S. Case No. 119 of 2022, lodged on 22.10.2022
under Sections 414 of the Indian Penal Code and sections 30(a),
32(2) and 41(1) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per the prosecution case, total 506.88 litres of
Indian made foreign liquor has been recovered which is the
subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that neither any recovery has been made from the possession of
the petitioner nor the petitioner has been arrested from the place



of occurrence. Learned counsel submits that the name of the petitioner has figured in this case by virtue of disclosure made by the apprehended accused persons. He further submits that the petitioner is in custody since 11.08.2023 and there is one criminal case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 119 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

Divyansh/-

U		T	
---	--	---	--

