

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73069 of 2022

Arising Out of PS. Case No.-654 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Deepak Kumar S/O Shivjee Sah R/O Village- Maripur, P.S.- Kazi
Mohammadpur, Distt- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 272, 273/34 of the

Indian Penal Code and Sections 30(a), 41(i) of the Bihar

Prohibition and Excise Act.

The prosecution case in nutshell is that a pickup

vehicle was seen coming and on seeing the police party,

in order to flee away, the vehicle turned turtle and fell in

a ditch. Two persons escaped and petitioner was



apprehended. On search, 463.455 litres of I.M.F.L. has been recovered from the said vehicle.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. He has no concern with the alleged recovered liquor. He is not the driver or cleaner of the vehicle in question. No any incriminating article has been recovered from the possession of the petitioner and there is no any independent witness of the alleged seizure. Moreover, petitioner is languishing in judicial custody since 22.10.2022.

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

Having heard learned counsel for the parties and taking into consideration 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 in connection



with Sadar P.S. Case No. 654 of 2022 on furnishing bail
bond of Rs. 10,000/- (Rupees ten thousand) with two
sureties of the like amount each to the satisfaction of
the learned Exclusive Special Judge Excise- I,
Muzaffarpur.

(Sunil Kumar Panwar, J)

nirajkrs/-

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