

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82817 of 2023

Arising Out of PS. Case No.-578 Year-2023 Thana- DHAKA District- East Champaran

Deeplal Kumar Son Of Bigan Sah R/O Village- Pachpakadi, P.S.- Dhaka,
Dist.- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under section 414 of Indian Penal Code and Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 288 litres of Nepali liquor from two motorcycles. Petitioner is alleged to be the driver of one of the motorcycles.

It is submitted by learned counsel for the petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious



possession of the petitioner. Petitioner is languishing in judicial custody since 16.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer of bail and submitted that petitioner is driving the aforesaid vehicle from which huge amount of liquor has been recovered.

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 Exclusive Special Excise Court No. 1, Motihari, East Champaran in connection with Dhaka (Pachpakari) P.S. Case No. 578 of 2023.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the concerned



District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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