

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18034 of 2024

Arising Out of PS. Case No.-14 Year-2023 Thana- BISHUNPUR District- Darbhanga

Deepak Kumar Kunwar @ Krishna Singh @ Deepak Kunwar @ Deepak Singh S/o Ramswarth Kunwar @ Bigu Kunwar @ Ramsogarth Singh R/o Village - Rampur Dih, P.S. - Bisanpur, Dist. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesah Sah

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-03-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of four cases and the allegation is of recovery of 24.75 litres of liquor from a motorcycle, 207.75 litres of liquor from an orchard and 56.25 litres of liquor from a car.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged



recovery is from a place which does not belong to the petitioner, nor petitioner is the owner of any of the seized vehicle and he came to be implicated based on confessional statement of Raja Mehta in police custody, which does not have any evidentiary value. It is next submitted that it appears that the Chaukidar, in order to save the real culprit, falsely implicated the petitioner taking advantage of his antecedent through Raja Mehta.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-1, Excise Act, Darbhanga in connection with Bisanpur P. S. Case No.14 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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