

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18792 of 2024

Arising Out of PS. Case No.-444 Year-2023 Thana- Excise P.S. District- Samastipur

Deepak Kumar S/o Kailash Sahni R/o Village- Ladaura, Ward No. - 06, P.S. -
Kalyanpur, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Samastipur Sadar Excise P.S. Case no. 444 of 2023 instituted for the offence under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

3. Prosecution case relates to recovery of 57 litres IMFL from a toilet tank behind the hut of co-accused Kailesh Sahni.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery or with the place of



occurrence. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Samastipur Sadar Excise P.S. Case No. 444 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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