

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43545 of 2024**

Arising Out of PS. Case No.-17 Year-2021 Thana- KOTWA District- East Champaran

Deepak Kumar S/O Rekha Rai R/O Village -Kotwa kajhiya Tola,P.S.-  
Kotwa,Distt-East Champaran ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      26-06-2024                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kotwa P.S. Case No. 17 of 2021 dated 10.02.2021 registered for the offences punishable u/s 30(a), 32 and 41(i) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2200 litres of illicit raw spirit was recovered from the pick-up van.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up during the course of investigation. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the said vehicle and the same was not being driven by him at the time of the



alleged recovery. The petitioner has clean antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 05.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Kotwa P.S. Case No. 17 of 2021.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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