

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47460 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- Excise P.S. District- Rohtas

Deepak Singh @ Deepak Kumar @ Deepak Kuamr Singh S/O Purnwasi
Singh R/O Village- Basgitiya, P.S- Bikaramganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 247 of 2024 arising out of Bikramganj Excise PS Case
No. 40 of 2024 instituted for the offences under Sections 30(a)
& 30(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 149 liters of
spirit, 1.875 litres of foreign liquor and 500 pieces of empty
bottles from poultry farm were recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovery is from an open place, which is accessible to one and all. Petitioner is the owner of the poultry farm. The petitioner is in custody since 28-03-2024 and has got three criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Case No. 247 of 2024 arising out of Bikramganj Excise PS Case No. 40 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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