

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76094 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- BAJPATTI District- Sitamarhi

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Deepak Kumar @ Deepak Kumar Ray Son of Indal Ray Resident of Vill-
Loknathpur, Raghunathpur Ward No 14, P.S.- Bajpatti, P.O.- Hasanpur,
Barharwa District- Sitamarhi, Bihar- 843314

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Pandey, Advocate.
For the Opposite Party/s : Mr. Deepak Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-11-2024 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 Bajpatti P.S. Case no. 198 of 2024 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the informant
received a secret information that on a four wheeler, illicit liquor
is being transported. A four wheeler stopped near Belhiya
chowk. The driver managed to escape from the said four
wheeler. It is also alleged that 144 liter of nepali liquor was
recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. It is also
submitted that local *chowkidar* disclosed the alleged four



wheeler belongs to this petitioner who deals in liquor. It is also submitted that the alleged vehicle does not belong to the petitioner from which the said liquor has been recovered.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner.

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 Bajpatti P.S. Case No. 198 of 2024, 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 Court of Special Judge Excise-II, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

6. Accordingly, the present bail application is allowed with a condition that the Court shall verify whether the vehicle belongs to the petitioner or not.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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