

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75542 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- DINARA District- Rohtas

Deepak Kumar Singh Son of Dalpat Singh, Resident of village- Parsathua,
P.S- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Dinara P.S. Case No.79 of 2023 instituted under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 120.96 litres, 155.52 litres and
293.76 litres of Indian made foreign liquor was recovered from
three vehicles i.e. Tata Nexon, Bajaj Tempo and motorcycle,
respectively.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner is the owner of
seized vehicle Tata Nexon which was given to one Ankur
Kumar on 30.05.2022 for eleven months on rent of Rs.30,000/-
per month and in support thereof a copy of the agreement has



been annexed with this petition. The petitioner has no concern with the seized liquor. Nothing incriminating material has been recovered from conscious possession of the petitioner. It is also submitted that similarly situated co-accused, namely, Parashnath Singh @ Niraj Kumar has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 31.07.2023 passed in Cr.Misc.No.42274 of 2023. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-1, Rohtas at Sasaram in connection with Dinara P.S. Case No.79 of 2023 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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