

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84908 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- Excise P.S. District- Gaya

DEEPAK KUMAR Son of Harihar Manjhi Resident of Village - Simaru, P.S.-
Gurua, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) & 56(b) of the Bihar Prohibition & Excise Act.

3. The petitioner is said to have been apprehended with an auto from where, total 175 liters of illicit 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 present case. He has got no criminal antecedent. Petitioner is only driver of the seized auto but he has no concern with the alleged recovery of liquor. No any incriminating article has



been recovered from his possession. The petitioner is languishing in judicial custody since 3.10.2023.

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

6. The petitioner is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

7. Considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise (Sherghati) P.S. Case No. 123 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, Gaya.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. Five thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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