

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82083 of 2024

Arising Out of PS. Case No.-950 Year-2024 Thana- Excise P.S. District- Aurangabad

Deepak Kumar S/o Rajeshwar singh R/o vill - Uchit Bigha, P.S. - Haspura,
Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 19-04-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Excise Police Station Case No. 950 of 2024, dated 22.09.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as 'the Act').
3. The prosecution case, as per the First Information Report, is that on 22.09.2024, during vehicle checking, the police stopped one tempo, bearing registration no. BR26-PA-8669, where two persons having one bag each were sitting on the back seat. Upon search, the police recovered 18 liters of illicit foreign liquor and one ration card belonging to Deepak Kumar i.e. the petitioner. When



equired, the arrested co-accused persons, namely, Anil Kumar and Shambhu Kumar, told that illicit liquor belongs to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on the basis of confessional statement of the arrested co-accused persons. He next submits that illicit liquor has not been recovered from the conscious possession of the petitioner and has no concern with the same and he was not present at the place of occurrence. He further submits that mere recovery of ration card of the petitioner from co-accused person does not connect him with alleged occurrence. The petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the justification of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 II, Aurangabad, in connection with Aurangabad Excise Police Station Case No. 950 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

