

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88020 of 2024

Arising Out of PS. Case No.-94 Year-2023 Thana- PATEPUR District- Vaishali

Deepak Kumar S/O Arun Kumar Mahto @ Arun Mahto R/O village -
Kothiya, P.S.- Bangara, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner submits that earlier
vide order dated 24.08.2023 in Cr. Misc. No. 46168 of 2023, the
petitioner has been granted anticipatory bail by this Court, but
he could not furnish the bail bonds in the learned Court below
within the stipulated time.

3. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s 30(a), 32(II), 41(i) of
the Bihar Prohibition and Excise Act.

4. Altogether 3564 litres of foreign liquor has been
recovered from the seized vehicles.

5. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No



such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. No incriminating article has been recovered from the conscious physical possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. Nothing specific has been attributed against the petitioner. He was not apprehended on the spot. The seized vehicles do not belong to the petitioner. He has been made accused in the present case merely on the basis of identification made by local *Chaukidar*. Learned counsel further submits that the petitioner has three criminal antecedents and he has been languishing in custody since 25.11.2024.

6. Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

7. Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Patepur P.S. Case No. 94 of 2023, subject to the further conditions that

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyers’ Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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