

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3171 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- NADI P.S. District- Patna

Deepak Kumar S/o- Mohan Sahani Village- Saistapur,P.S.
Athmalgola,District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-02-2025

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Nadi P.S. Case No. 116 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 38 liters of foreign made liquor

4. Learned counsel appearing on behalf of the petitioner submitted that the implication of petitioner with



present case was only made on the basis of secret input where even source of information not appears convincing from perusal of FIR. It is submitted that even the seizure list witness are interested persons being home guard personnel. It is submitted that the petitioner is neither owner nor driver and also not connected in any manner with alleged motorcycle. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of alleged illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, accordingly petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna City,



Patna/concerned Court, where the case is pending in connection with Nadi P.S. Case No. 116 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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