

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42856 of 2017

Arising Out of PS. Case No.-58 Year-2017 Thana- BARAHIYA District- Lakhisarai

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Dhiraj Kumar, S/o Balram Prasad Singh, resident of Village- Maheshwara,
P.S.- Nawkothe, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-09-2017 Heard Sri Ravi Shankar Sahay, learned counsel, assisted
by Sri Randhir Kumar No. 1, learned counsel for the petitioner
and learned Additional Public Prosecutor.

The sole petitioner, who is in custody on surrender since
1.8.2017 in Barahiya P.S. Case No. 58 of 2017 registered for
the offence under Section 272, 273 of the Indian Penal Code
1860 and Section 30(a)/32(b)/38(a) of the Bihar Excise
Amendment Act , 2016 (hereinafter referred to as “Excise
Act”) has prayed for grant of bail .

It was submitted by learned counsel for the petitioner that
it is true that petitioner is the owner of the vehicle from which
huge quantity of Indian make foreign liquor was recovered but
fact remains that vehicle was taken by some one and they
indulged in carrying of foreign liquor which was intercepted



subsequently . Learned counsel for the petitioner submits that some of the occupants of the vehicle namely Shambhu Kumar Mishra and Chunchun Singh have already been released on bail vide Cr. Misc. No. 31024 of 2017 and Cr. Misc. No. 33304 of 2017 which has been brought on record vide Annexure - 2 and 2/A to the petition . It has also been argued that petitioner was accused in one case but that was not having any relation with Excise Act.

Considering the fact that at least two accused have been granted bail and petitioner is in custody on surrender, let the petitioner Dhiraj Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge IInd – cum- Special Judge, Lakhisarai/ concerned court in connection with Barahiya P.S. Case No. 58 of 2017 .

(Rakesh Kumar, J)

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