

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26626 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Dharmendra Kumar Singh @ Bhola Singh @ Dharmendra Singh @
Bholath, S/o Lalit Singh, resident of Village- Rahimapur, P.S.- Bidupur,
Dist- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Sri Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

6 25-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with
Bidupur P.S. Case No. 98 of 2017 for the offences under Sections
30A of the Bihar Excise Act, 2016.

Earlier the petitioner was granted provisional bail and
the petitioner in terms of the direction of this Court surrendered in
the court below.

Considering the case on merit, from perusal of the
FIR it appears that 70 liters of country made wine was allegedly
recovered from the cattle shade of the petitioner.

Counsel for the petitioner submits that the petitioner
is a man of clean antecedent and there is statement to that effect in



para-3 of the application. He also submits that the seizure list has not been prepared in accordance with law and nothing was recovered from his conscious possession.

Considering the totality of fact and circumstances and particularly the statements of the petitioner on affidavit that he has no criminal antecedent, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-XIV, Vaishali at Hajipur or the successor Court in connection with Bidupur P.S. Case No. 98 of 2017, subject to the condition that the petitioner will extend full cooperation in conclusion of the trial and will not, in any manner, tamper with the evidence and influence the witnesses.

Learned counsel for the petitioner submits that the bail bond executed in connection with the provisional bail may be directed to be used for the purpose of satisfaction of the learned ACJM-XIV.

The court below will consider the same at the time of release of the petitioner.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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