

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57944 of 2018

Arising Out of Excise Case No.-369 of 2018 GOVERNMENT OFFICIAL COMP. District-
Aurangabad

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Dharmendra Kumar Singh, son of Late Sarjoo Singh, resident of Village- Jay
Hind Tendua, P.S.- Mali, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Vyas Kumar Mishra

For the Opposite Party/s : Sri Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 06-10-2018 Heard Sri Vyas Kumar Mishra, learned counsel for

the petitioner and Sri Ashok Kumar, learned Additional Public

Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Excise Case No. 369 of 2018, registered for
the offence under Section 30(a) and 37(b) of the Bihar
Prohibition and Excise Act, 2016, has prayed for grant of bail
in the event of his arrest or surrender.

In this case earlier prosecution report was called for
which has been received and kept at flag -P. Learned counsel for
the petitioner submits that petitioner in the present case of-



course has not been specifically named but owner of the motorcycle having registration no. BR26L-1581 was arrayed as accused in the present case. He submits that the motorcycle in question was already sold by the petitioner to one Yogendra Singh who has been arrayed as accused no. 3 in the present F.I.R. through sale letter but since no steps were taken to substitute the name of the purchaser in the record of the D.T.O. the petitioner is having apprehension of being arrested in the present case and this is the reason that petitioner has filed the present petition. Learned counsel for the petitioner has also drawn my attention to the statement made in paragraph - 3 of the petition to show petitioner is having clean antecedent.

Learned Additional Public Prosecutor has opposed the prayer, however, considering the nature of accusation and clean antecedent of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner - Dharmendra Kumar Singh 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 Sessions Judge – VII cum Special Judge (Excise), Aurangabad / concerned court in connection with Excise Case No. 369 of 2018 subject to the conditions as



contemplated under Section 438 (2) of the Code of Criminal
Procedure, 1973.

(Rakesh Kumar, J)

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