

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27720 of 2018

Arising Out of PS. Case No.-30 Year-2018 Thana- KALYANPUR District- Samastipur

Dharmesh Darshan Son of Bhagirath Prasad Ray, Resident of Village
Morwara, Kalyanpur, P.S. Kalyanpur, District Samastipur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-05-2018 Heard Sri Bijay Bhushan Prasad, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since 23.03.2018 in Kalyanpur P.S. Case No.30 of 2018 registered for the offence under Sections 272, 273 of the Indian Penal Code and Sections, 47, 30(a) , 38(2) of the Bihar Prohibition and Excise Act,2016, having clean antecedent, which fact has been stated in paragraph-3 of the petition, has prayed for grant of bail.

Learned counsel for the petitioner submits that the petitioner has falsely been apprehended as if after seeing the police party the petitioner along with one another started fleeing away and the petitioner and one another were shown to be apprehended and it was alleged that on motorcycle, he had kept



about 18 liters of Indian Make Foreign Liquor. It has been argued that the petitioner has got no connection either with seized motorcycle or recovered wine and only on suspicion, the petitioner was apprehended.

Considering the nature of accusation, clean antecedent as well as period of custody, let the petitioner, namely, Dharmesh Darshan be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge-cum- Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.s. Case No.30 of 2018.

(Rakesh Kumar, J)

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