

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28195 of 2018

Arising Out of PS. Case No.-58 Year-2018 Thana- GAURICHAK District- Patna

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Dharamvir Kumar, S/o Late Madhusudan Chaudhary @ Masudan Chaudhary,
Resident of Village- Chamardih, P.S.- Gourichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Nandan Pandit

For the Opposite Party/s : Mrs. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-05-2018 Heard Sri Sheo Nandan Pandit, learned counsel for

the petitioner and Smt. Anita Kumari Singh, learned Addl.

Public Prosecutor.

The sole petitioner, who is in custody since
06.03.2018 in Gaurichak P.S. Case No.58 of 2018, Special Case
No.2040 of 2018 registered for the offence under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016, has prayed for
grant of bail.

Learned counsel for the petitioner has firstly drawn my
attention to the statement made in paragraph-3 of the petition to
show that the petitioner is having clean antecedent. It has further
been argued that the petitioner being a passenger was moving on
a tempo, which was intercepted by the police and from the said
tempo, about 550 liters of toddy was allegedly recovered and



petitioner along with two other persons were arrested and have been made accused. It has been argued by learned counsel for the petitioner that the petitioner was not knowing as to whether the tempo was loaded with such huge quantity of toddy or not and he has falsely been implicated in the present case.

Considering the nature of accusation, clean antecedent as well as period of custody, let the petitioner, namely Dharamvir Kumar 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 Special Judge, Excise Act, Patna in connection with Gourichak P.S. Case no.58 of 2018, Special Case No.2040 of 2018.

(Rakesh Kumar, J)

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