

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4492 of 2019

Arising Out of PS. Case No.-133 Year-2017 Thana- MAJHAULIA District- West Champaran

Dharmendra Tiwari, Son of Ramesh Tiwari Resident of Village- Karmawa,
P.S.- Majhauria, District- West Champaran

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3000 litres of spirit is said to have been recovered
from Dhanauti river, said to have been brought and dumped
there by all the four named and five other unknown miscreants.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner. He has no
concern either with the seized liquor or place of recovery or any
trade of liquor. He was not apprehended on the spot. He has



been falsely implicated in the case at the instance of his enemies. He has no criminal antecedent. He has been languishing in custody since 08.10.2018. Co-accused, namely, Manoj Paswan, Ranjeet Mukhiya, Mohan Lal Kumar and Rambabu Yadav have been enlarged on bail by different co-ordinate benches of this court including this Court.

Considering the facts aforesaid, the above named petitioner is directed to 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 learned Special Judge, Excise, Bettiah, West Champaran in connection with Manjhaulia P.S. Case No. 133 of 2017.

(Prakash Chandra Jaiswal, J)

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