

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7458 of 2019

Arising Out of PS. Case No.-216 Year-2018 Thana- PIPRA District- Supaul

MANOJ DHANIKAR @ MANOJ DHARIKAR, Mal, aged about 37 years,
son of Lalan Dhanikar @ Lalan Prasad, Resident of Village-Ward No. 10,
Ramnagar, P.S.- Pipra, District- Supaul ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Goutam, Adv.
For the Opposite Party : Mr. Ajit Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
27.12.2018 in connection with Pipra P.S. Case No. 216 of 2018
for the offence alleged under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that while he was on night patrolling he saw a
tempo trying to escape. On chase tempo stopped, but, the driver
fled away. On search of the tempo (Ape Xtra DLX, bearing
registration no. R8E2964873), 990 bottles, containing 300 ml
each of Nepali country made liquor, were recovered.

It has been submitted by the learned counsel for the
petitioner that the petitioner is innocent, bears no criminal
antecedent and has been falsely implicated in the case. The



petitioner is the owner of the tempo and was not at the place of occurrence, rather it was taken by one Ram Lakhan Yadav from his brother. Nothing has been recovered from the conscious possession of the petitioner.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Pipra P.S. Case No. 216 of 2018 to the satisfaction of the learned Additional District & Sessions Judge II-cum-Special Judge, Supaul.

(Nilu Agrawal, J)

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