

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24624 of 2019**

Arising Out of PS. Case No.-72 Year-2019 Thana- BHORE District- Gopalganj

=====

Dharmendra Kumar @ Dharmendra Yadav S/o Hira Yadav R/o village-  
Kutiya, P.S.- Vijaipur, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      09-05-2019      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in a case registered under  
Sections-30(a), 35, 38, 37(b)(c) of the Bihar Prohibition and  
Excise Act, 2016.

The prosecution case, in short, is that 189.440 liters  
wine is recovered.

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent. There is no  
allegation of tampering of witnesses alleged against the  
petitioner. The petitioner is in custody since 06-03-2019. The  
name of the petitioner has transpired in this case as the recovery  
was made from the tractor, in question. Except for this, there is  
no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 189.440 liters wine is recovered. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, in connection with Bhore P.S. Case No. 72 of 2019.

**(Sudhir Singh, J)**

A.K.V.//-

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