

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33034 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- SURSAND District- Sitamarhi

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Dharmendra Kumar, Son of Srichan Mukhiya @ Srichandra Mukhiya,
Resident of Village - Farua Bhawani, P.S.- Bajpatti, , District-Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate

For the Opposite Party : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
Sursand P.S. Case No.50 of 2019 registered under Section 30(a)
of the Bihar Prohibition and Excise Act.

It is submitted by the learned counsel for the
petitioner that nothing was recovered from conscious possession
of the petitioner. However, the petitioner has become victim of
the high-handedness of the police. The allegation of 50 bottles
each containing of 300 ml. of nepali wine from bag of the
petitioner is totally false. The petitioner has got no criminal
antecedent and having got roots in the society, he is not likely to
abscond or tamper with the evidence.

Learned counsel for the State has opposed the



application for grant of bail to the petitioner.

Considering the nature of the offence, the petitioner, who is in custody since 03.03.2019, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sursand P.S. Case No.50 of 2019 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and
- (c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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