

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52142 of 2019

Arising Out of PS. Case No.-157 Year-2019 Thana- JAKKANPUR District- Patna

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Dharambir Yadav @ Dharambir Kumar @ Dharambir Kumar Yadav @
Dharmendra Kumar, Son of Dinesh Rai, Resident of Village - Patthar Gali,
P.S.- Bure, Dsit.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with Jakkanpur P.S. Case No.157 of 2019, Special
Case No.3060 of 2019 registered for the offence punishable under
Sections 30(a), 38 and 41 of Bihar Prohibition and Excise Act,
2016 and Sections 272, 271 and 120(b) of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that no incriminating article has been
recovered from the conscious possession of the petitioner. He is in
custody since 25.06.2019.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case
wherein the name of the petitioner has transpired in the



confessional statement of the co-accused and further that the illicit liquor has not been recovered from the possession of the petitioner and the vehicles in question are not owned by this petitioner as also that he is in custody since 25.06.2019, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Jakkanpur P.S. Case No.157 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person 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.

(Rajeev Ranjan Prasad, J)

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