

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 10336 of 2020

**Dharmendra Kumar aged about 24 years Male S/o Jagdish Ray
resident of village Bariyarpur ward no. 2 Police Station Sitamarhi
District Sitamarhi.**

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

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Appearance

For the Petitioner : Mr. Vikash Kumar, Advocate

For the State : Mr. Suresh Prasad Singh, APP

CORAM : HONOURABLE MR. JUSTICE PARTHA SARTHY

Oral Order

2 14.05.2020

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner who is in custody since 11.1.2020 has filed the instant application for grant of bail in connection with Case no. C2/30/2020



registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, a total of 150 litres of Nepali Sophie wine was recovered from three motorcycles of which 36 litres was recovered from the motorcycle of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery of illegal wine is false and concocted. The petitioner who has no criminal antecedent is in custody since 11.1.2020 and investigation in the case has already concluded.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that the petitioner has no criminal antecedent, his being in custody since 11.1.2020 and that the investigation in the case has already concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Case no. C2/30/2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IInd-cum- Special Judge Excise Act, Sitamarhi.

(Partha Sarthy, J)

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