

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19382 of 2020**

Arising Out of PS. Case No.-227 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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DHARMENDRA YADAV Son of Ramnath Yadav @ Chirkut Yadav Resident
of Village - Koeini, P.S. Manjhagarh, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar
For the Opposite Party/s : Dr. Indihar Kumari

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-06-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defect (s), as pointed out by the office within two
weeks of normal functioning of the Court after the lockdown,
failing which, office is directed to place the matter before the
Bench for appropriate order.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2018.

5097.600 liters of foreign liquor is said to have been
recovered from a truck and the petitioner managed to escape.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has no concern either with the seized liquor or the truck in question or any trade of liquor. He has been falsely implicated in this case. Petitioner was neither arrested from the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has been made accused in this case on the confessional statement of driver of the truck which has no evidentiary value in the eye of law. He has been languishing in custody since 25.02.2020.

Petitioner is agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise, Gopalganj in connection with Excise P.S. Case No.227 of 2019.

The bail bond of the petitioner shall be accepted by



the learned Court below on showing receipt of deposit of
Rs.30,000.00 (Rupees Thirty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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