

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19579 of 2020**

Arising Out of PS. Case No.-267 Year-2019 Thana- OBRA District- Aurangabad

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DHIRENDRA KUMAR @ DHIRENDRA SINGH Son of Surendra Singh @
Surendra Prasad Singh @ Lallu Singh Resident of Village-Bela, Tola-
Imamganj, Police Station-Obra, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

4 13-10-2020 Heard learned counsel for the petitioner and learned

APP for the State through video conference. Learned counsel for
the petitioner undertakes that all defects pointed out by the
Stamp Reporter shall be removed, and compliance with the
conditions of the notices of this Court with regard to acceptance
of e-filing shall be made, without delay immediately upon
resumption of normal physical functioning of the Court, and in
any event within one month thereof.

2. The petitioner is in custody since 19.02.2020 in
connection with Obra P.S. Case No. 267 of 2019 for the alleged
offences under Section 30(a) of the Bihar Prohibition and Excise
Act, 2018.

3. It is submitted that the petitioner has been falsely



implicated in connection with recovery of 412 litres of country made liquor from a Hyundai Santro car. The petitioner is not named in the FIR rather his name has transpired in course of investigation from the confessional statement of the registered owner of the said vehicle, Ravish Kumar stating that he has sold the vehicle to the petitioner for Rs. 80,000/-. It is however submitted that except such confessional statement there is no objective material to connect the petitioner with the alleged occurrence.

4. Learned APP on the other hand invites reference to para 36 of the case diary in which the complete details of the affidavit have been given stating that the owner Ravish Kumar claims to have sold the vehicle to the petitioner for Rs. 80,000/- with the understanding that any liability after 15.07.2019 would fall to the responsibility of the petitioner. In para 58 of the case diary a statement of the concerned Advocate has also been recorded to support the sale of the vehicle to the petitioner. The petitioner is accused in one prior case of similar nature.

5. Be that as it may, let the petitioner above named be released on bail on his completing one year in custody on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



Additional Sessions Judge-VII-cum-Special Judge, Excise,
Aurangabad in connection with Obra P.S. Case No. 267 of 2019,
if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are
removed and compliance with the notices of this Court are made
by the petitioner within the stipulated time provided in para 1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Vikash Jain, J)

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