

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25159 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- LAUKAHI District- Madhubani

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DHARMENDRA KUMAR SAH, Male, aged about 36 years, Son of Ram Narayan Sah, Resident of Village Narahiya, P.S. Laukahi, District Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner and Mr. Bhanu Pratap Singh, learned Additional P.P. through video conferencing.

The petitioner seeks bail in Laukahi P.S. Case No.163 of 2019, registered under Sections 272 and 273 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

The informant, a police official, alleged that when he reached near Bhutaha Chowk, he saw that two motorcycles and one tempo were coming from Dagraha. After seeking the police, the motorcyclists and driver of the tempo managed to flee away. On search, 257 litres of Nepali liquor was recovered from the tempo. 45 litres and 35 litres of liquor was also recovered from the bags tied on the motorcycles.

Learned counsel for the petitioner submits that the



petitioner is the owner of the tempo. The petitioner is not named in the FIR. During the course of investigation, name of the petitioner surfaced in the case on the allegation that the petitioner is the owner of the tempo. The petitioner had entrusted the vehicle to his driver to ply on the road but the petitioner had no knowledge that the driver of the tempo was transporting liquor from one place to another. The petitioner is in jail since 14.03.2020. The petitioner has remained in jail for more than six months.

Considering the facts aforesaid and the fact the petitioner has remained in jail for more than 6 months, petitioner, namely, Dharmendra Kumar Sah is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Laukahi P.S. Case No.163 of 2019.

(Prabhat Kumar Jha, J)

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