

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32813 of 2020**

Arising Out of PS. Case No.-269 Year-2019 Thana- MANIGACHI District- Darbhanga

Dhananjay Kumar @ Dhananjay Gupta, S/o Ram Kumar Gupta, Resident of
Village-Nirmali, P.S.-Nirmali, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act.

As per the prosecution case, 425 liters of Nepali liquor was recovered from a vehicle and petitioner is alleged to be the owner of the said vehicle.

It is submitted on behalf of the petitioner that petitioner has been made accused in this case only because he is



owner of the vehicle in question. Nothing has been recovered from the physical possession of the petitioner. It is further submitted that the vehicle in question was used by the driver in the transportation of the liquor without the knowledge of the petitioner. Petitioner is in custody since 22.08.2020. Petitioner has clean antecedent as stated in paragraph no.3 of the petition.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Darbhanga in G.O. Case No. 1317 of 2019 arising out of Manigachhi Police Station Case No. 269 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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