

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85066 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- BHANGWANPUR HAT District- Siwan

Dharmendra Yadav S/o Shri Madan Yadav @ Madan Roy R/o village-
Matanpura, P.S.- Bhagwanpur Hatt, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Bhagwanpur Hatt P.S. Case no. 152 of 2018 registered for the offence punishable under sections 272, 273, 308 and 420 of the Indian Penal Code and sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information having been received, a raid was conducted and 1746 litres of IMFL was recovered. One accused person namely Sher Singh was arrested on the spot while three persons managed to escape.

It is submitted by learned counsel for the petitioner



that no recovery as alleged has taken place from the person or possession of the petitioner. The petitioner was not caught at the place of occurrence. He is in custody since 18.11.2019.

The application for bail has been opposed by learned APP for the State submitting that large quantity of IMFL has been recovered from the petitioner against whom a criminal case under the Bihar Prohibition and Excise Act is pending

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above especially the fact that the petitioner was not caught along with the seized article and is in custody since 18.11.2019, this Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail in connection with Bhagwanpur Hatt P.S. Case no. 152 of 2018 on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II, Siwan.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

