

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85069 of 2019**

Arising Out of PS. Case No.-468 Year-2019 Thana- BRAHMPUR District- Buxar

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DHARMENDRA YADAV Son of Late Surya Kumar Yadav Resident of  
Village - Baluwa, P.S.- Brahampur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ramchandra Singh, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

ORAL ORDER

2      07-01-2020      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks bail in **Excise GR No. 962 of 2019,**  
**arising out of Brahampur P.S. Case No. 468 of 2019** instituted  
for the offence under Section(s) 30(a) of the Bihar Prohibition  
and Excise (Amendment) Act, 2018.

17 liters prohibited foreign liquor are said to have been  
recovered from possession of other co-accused persons who  
were riding on a motorcycle. They have disclosed the fact that  
the wine was taken for the instant petitioner and another  
petitioner, namely Gautam Yadav. It is, in such manner, the  
petitioner has been implicated in the instant case.

It is submitted that it is a case of false implication and  
that there is no recovery from the petitioner's possession to  
connect him with the offence. The petitioner has also been  
implicated in two other cases, in which, he is taking steps for



securing his bail. He is in custody in the instant case since 11.11.2019.

The learned APP for the State has opposed the prayer for bail.

Considering the aforesaid, 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 **Additional Sessions Judge -2<sup>nd</sup> – cum Special Judge (Excise) Buxar**, in connection with **Excise GR 962 of 2019, arising out of Brahampur P.S. Case No. 468 of 2019** subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

shyambihari/-

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