

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13146 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- BALIYA District- Begusarai

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DHARMENDRA @ DHARMENDRA PASWAN @ DHARO PASWAN Son
of Late Suresh Paswan Resident of Village - Chhoti Ballia (Paswan Tola),
P.S.- Ballia, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-07-2021 In view of sudden resurgence of COVID-19

infection there is limited functioning of the High Court and

therefore the matter has been listed for consideration through

virtual mode.

Heard learned Counsel for the petitioner and the

learned APP for the State.

This Court would expect that the petitioner's

Counsel would honour his undertaking in the instant

proceedings regarding supply of requisite court fee etc. within

two weeks from the date he is called upon to do so by the

office.

Petitioner seeks bail in Ballia PS Case No. 247 of

2020, registered under Sections 30, 32 and 37(b)(c) of the



Bihar Prohibition and Excise Act, 2016.

117 litres of illicit liquor has been recovered.

Learned counsel for the petitioner submits that relying upon the antecedents of the petitioner that he has indulged in the illegal trade of liquor, he has been implicated in this case. He is on bail in five cases since before. There is no recovery from the petitioner nor has he been arrested on the spot. He is in custody since 27.10.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II-cum-Special Judge, Excise Act, Begusarai, in Ballia PS Case No. 247 of 2020, 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)

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