

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27301 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- DUMRA District- Sitamarhi

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DHARMENDRA KUMAR Son of Kailash Sahni, Resident of Village -
Lagma Ward No.7, P.S.- Dumri, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 414 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the submits that in the prayer portion has wrongly typed as P.S. Case No.14/2020 instead of P.S. Case No.14/2021, read as P.S. Case No.14/2021.

It is submitted by learned counsel for the petitioner



that the petitioner is innocent and has falsely been implicated in this case. There is no recovery from the conscious possession of the petitioner, rather there is recovery of total 1082.160 liters of foreign liquor from the Pick-up Bolero Vehicle. The said vehicle does not belong to the petitioner. The petitioner was apprehended on the spot. The petitioner is languishing in custody since 09.01.2021. The petitioner has got one criminal antecedent in same offence which is mentioned in para 3 of the bail application.

Learned APP for the State vehemently opposed the bail petition of the petitioner.

Petitioner is agreed to deposit a sum of Rs. 20,000/- (Rupees Twenty Thousand) in the PM Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Considering the aforesaid facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Dumra P. S. Case



No.14/2020; subject to the following conditions:

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

(ii) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000/- (Rupees Twenty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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