

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32369 of 2020

Arising Out of PS. Case No.-960 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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DHARMENDRA YADAV @ DHARMENDRA KUMAR, Son of Shivrath
Rai Resident of Village - Makari Mahuawa, P.S.- Piprakothi, Distt.- East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-02-2021 Heard Mr. Umesh Chandra Verma, learned

counsel for the petitioner and Mr. Awadhesh Kumar

Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Excise Case No. 960 of 2019,

instituted for the offences under Sections 30(a) and 41

(1) of the Bihar Prohibition and Excise Act, 2016.

800 litres of liquor is said to have been

recovered from a hut situated near the house of a co-

accused namely Lala Singh.

The prosecution report reveals that on the



information regarding raid, the petitioner and others could manage to abscond.

The petitioner has not been arrested on the spot and nothing has been recovered from his possession. He does not have criminal antecedents. His accusation in this case is only on the basis of suspicion.

It has been urged on behalf of the petitioner therefore that no offence under the provisions of Excise Act can be said to have been made out from the facts of the case against the petitioner.

Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge cum Special Judge, Excise Act, East Champaran,



Motihari, in connection with Excise Case No. 960 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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