

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34819 of 2020

Arising Out of PS. Case No.-261 Year-2019 Thana- RAJAPAKAR District- Vaishali

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Dharmendra Kumar, S/o Chandeshwar Singh R/o village- Bhalue, P.S.-
Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr. Laxmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-03-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Rajapakar P.S. Case No.261 of 2019, registered under

Section 30(a) of the Bihar Excise Act.

The accusation is that on receiving secret

information about purchasing and selling of illicit liquor by

Kesh Nath Rai and Shiv Nath Rai in village Govindpur, the

informant along with other police personnel reached there then



a Pickup Van was seen at the door of Kesh Nath Rai. On seeing the police party, two persons started to flee away, but on chase, both persons were apprehended, who disclosed their names as Kesh Nath Rai and Shiv Nath Rai. On search, several bottles of Indian made foreign liquor, in the volume of 84.420 litre, recovered from the Pickup Van. On query, Kesh Nath Rai and Shiv Nath Rai also disclosed that the the said liquor was provided by Dharmendra Kumar (petitioner) and Nagendra Kumar.

Learned counsel for the petitioner submits that it would appear from the FIR that petitioner was not apprehended at the spot rather his name has been disclosed by co-accused, Kesh Nath Rai and Shiv Nath Rai, who were apprehended at the spot in fleeing condition, from where, the alleged bottles of Indian made foreign liquor are said to be recovered. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No.261 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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