

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8418 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- HASANPUR District- Samastipur

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DHANANJAY KUMAR S/o Dayaram Yadav @ Sarovar Yadav R/o Village-
Bhatwan Tol Hasanpur, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sadhna Suman

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Hasanpur P.S. Case No. 133/2020

instituted for the offences under Section 30(a) of the Bihar

Prohibition and Excise Act.

Two vehicles were searched and seized from where

882 litres of liquor was recovered. The drivers of the

vehicles were arrested, who disclosed the names of persons

who had managed to run away.

The petitioner is one of them.

The learned counsel for the petitioner has



submitted that apart from the aforesaid confession of the arrested accused persons, there is no other material to connect the petitioner with the offence. It has further been submitted that the owner of one of the vehicles has been granted anticipatory bail by a Bench of this Court and the driver has been granted regular bail.

Since the petitioner's implication in this case is only on the basis of confession of an arrested accused person and the petitioner has never in the past been made accused of any case of this nature, it has been submitted that the offence under the Excise Act cannot be said to have been made out against him.

For the reasons afore-stated, 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum-Special Judge, Excise, Samastipur, in connection



with Hasanpur P.S. Case No. 133/2020, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure

(Ashutosh Kumar, J)

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