

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37329 of 2020

Arising Out of PS. Case No.-300 Year-2020 Thana- GARDANIBAG District- Patna

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Dhiraj Kumar, Son of Krishan Dev Ray @ Krishana Ray, Resident of Near
Naurangi School, Janta Road, Phulwari, P.S-Gardanibagh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan, Advocate.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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

ORAL ORDER

2 02-07-2021 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. appearing for the State through Video

Conferencing.

The petitioner apprehends his arrest in connection

with Gardanibagh P.S. Case No. 300 of 2020/Special Case No.

3817 of 2020, registered under Sections 30(a) and 36 of the

Bihar Excise Act, 2016.

The accusation is that on receiving secret

information about carrying of illicit liquor loading in three



vehicles parking in the Sailja Apartment situated near Jhunjhun Mahal by Amit Sharma, Deepak Yadav, Dhiraj Kumar (petitioner) and Bikki Kumar, the informant along with other police personnel reached there. On seeing the police party, four persons, who were present near the said vehicles, succeeded to flee away. On search of Wagon R bearing registration no. BR01-AS-1906, standing in the Parking No. 202, 48 bottles each containing 750 ml of Indian made foreign liquor were recovered, from the Maruti Suzuki bearing registration no. BR01EA- 7434, 279 bottles each containing 180 ml of Indian made foreign liquor were recovered and from Maruti Sujuki bearing registration no. BR1AD 3217, 10 cartoons each containing 12 bottles in the volume of 90 litres of Indian made foreign liquor were recovered. On query, some persons present there, disclosed the name of Amit Sharma, Deepak Yadav, Bikki Kumar and Dhiraj Kumar (petitioner), who had carried the aforesaid liquor in the vehicle.

Learned counsel for the petitioner submits that petitioner is neither the owner of the seized vehicle nor he is residing in the Sailja Apartment, in fact, he has falsely been implicated in the present case due to ulterior motive. 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 Special Judge, Excise, Patna, in connection with Gardanibagh P.S. Case No. 300 of 2020/Special Case No. 3817 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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