

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37428 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- SONBERSA District- Sitamarhi

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DHARMENDRA RAI Son of Kari Rai @ Ram Nandan Rai Resdent of
Village - Bashantpur, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-02-2021 Heard Mr. Birendra Kumar, learned counsel for

the petitioner and Mr. Nand Kishore Prasad, learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sonbarsa P.S. Case No. 06 of 2020 registered for the
offence punishable under Section 414 of the Indian Penal
Code 1860 and Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The allegation as per the First Information Report
is that a Motorcycle on which two persons were riding, was
intercepted by the Police and upon seeing the Police party,
the co-accused persons succeeded in fleeing away leaving
the Motorcycle on spot. On search, a total quantity of 66.9



litres of illicit *Nepali Saufi* has been recovered from the Motorcycle in question.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of disclosure made by the arrested co-accused Gauri Rai. Learned counsel further submits that the petitioner has got no criminal antecedent and he is not the owner of the Motorcycle and this fact has been mentioned in paragraph-12 of this application. Learned counsel also submits that the petitioner is in custody since 02.09.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that no illicit liquor has been recovered either from conscious possession of the petitioner or the vehicle belonging to him, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi, in connection with



Sonbarsa P.S. Case No. 06 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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