

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3541 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Dharmendra Kumar S/o Kundail Singh @ Kadher Singh R/o village-
Hamadpur Kaka Mai Yata, P.S.- Piluya, District- Yata (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and

learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Excise Case no. 26 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 3024 litres of IMFL was recovered from the truck being driven by the petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place. The petitioner has been falsely implicated in the case. The truck was handed over by another driver to the petitioner to be driven for a short distance. The petitioner who has no criminal antecedent is in custody since 24.01.2020 i.e for more than 1 year and he



undertakes to cooperate in the trial.

The application for bail is opposed by learned A.P.P. for the State who submits that huge quantity of liquor has been recovered from the truck being driven by this petitioner.

Having heard learned counsel for the parties and taking into consideration the earlier order of rejection of bail together with the petitioner being in custody since 24.1.2020 and having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Excise Case no. 26 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II -cum- Special Judge, Excise, Gopalganj.

It is further directed that of the two bailors one will be a resident of a place within the jurisdiction of the learned Court below and the other bailor shall be a close relative of the petitioner.

(Partha Sarthy, J)

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