

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3938 of 2021

Arising Out of PS. Case No.-239 Year-2020 Thana- MOTIPUR District- Muzaffarpur

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DHARMENDRA KUMAR @ DHARMENDRA RAI Son of Ramchandra
Ray Resident of Village - Harpur Juneda, P.S. - Motipur, District -
Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2021 Heard learned counsel for the petitioner and

learned A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within four
weeks of resumption of normal court proceeding. In the
eventuality of non-removal of defects within undertaken period,
the office will place the matter before the Bench.

The petitioner seeks bail in connection with
Motipur P.S. Case No. 239 of 2020 registered for the offence
punishable under Sections 30(a)/41(1)(2) of the Bihar Excise
and Prohibition Act.

1400 liters of Spirit is said to have been recovered
from Pick-up Van and Motorcycle.



It is submitted by learned counsel for the petitioner that name of the petitioner has surfaced in the case during the course of the investigation. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized vehicles or the place of recovery or any trade of liquor. He has been falsely implicated in this case due to local politics.

Petitioner has no criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 13.10.2020.

Learned counsel for the petitioner further submits that similar situated co-accused has been granted bail *vide* order dated 26.02.2021 passed in Cr. Misc. No. 40813 of 2020.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of Learned Special Judge Excise, Muzaffarpur,
Bihar in connection with Motipur P.S. Case No. 239 of 2020.

The bail bond of the petitioner shall be accepted by
the learned Court below on showing receipt of deposit of
Rs.10,000.00 (Rupees Ten Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

GAURAV S./-

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