

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7776 of 2021

Arising Out of PS. Case No.-260 Year-2020 Thana- KAMTAUL District- Darbhanga

DHARMENDAR KUMAR RAM SON OF KEWAL RAM VILLAGE-
PAUNAD, P.S.- KAMTAUL, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

The petitioner seeks regular bail in connection with
Kamtaul Police Station Case No. 260 of 2020, disclosing
offences under Sections 272/273/120-B and Section 30 (a) of
the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report is
that the police, on the basis of secret information that some
accused persons, named in the First Information Report,
including the petitioner was unloading illicit liquor from a truck
standing by the side of road in village Paunad, proceeded
towards the place of occurrence and upon seeing the police, the
accused persons started fleeing away, but the petitioner, along



with other co-accused persons, namely, Neyaj Mohammad and Kewal Ram were arrested and upon search, 495 litres of illicit liquor was recovered from the truck, 720 litres of illicit liquor from a white-coloured Bolero pick-up van and 315 litres of illicit liquor from a mini tractor, standing near the truck.

Learned Counsel for the petitioner submits that the petitioner is a labour and was hired by some other person to unload the consignment from the truck and was not aware about the illicit liquor being kept inside the truck. He further submits that similarly situated co-accused Kewal Ram has been granted bail by co-ordinate Bench of this Court, vide order dated 18.03.2021, passed in Criminal Misc. No. 4162 of 2021. He further submits that the petitioner has got no criminal antecedent. He next submits that the petitioner is in custody since 01.11.2020 and charge sheet has already been submitted against the petitioner, as such there is no likelihood that the petitioner will abscond or tamper with the evidence.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 01.11.2020, having no criminal antecedent, similarly situated co-accused has been granted bail by this Court and charge sheet has already been



submitted in this case, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge (Excise), Darbhanga, in connection with Kamtaul Police Station Case No. 260 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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