

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8350 of 2021

Arising Out of PS. Case No.-139 Year-2020 Thana- ANDHRAMATH District- Madhubani

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DHANANJAY KUMAR SON OF SHIV NARAYAN YADAV RESIDENT
OF VILLAGE- SARAIGARH, P. S- KISHANPUR, DIST.- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Andhramath P.S. Case no. 139 of 2020 registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, it is stated by the informant that seeing a tempo coming at high speed, it was signaled to stop but it did not. The same was chased and stopped. On search a total of 180 litres of Nepali saufi wine was recovered and the petitioner along with one other were taken into custody.



It is submitted by learned counsel for the petitioner the allegations as levelled in the FIR are false and concocted. Neither the petitioner was taken into custody as narrated in the FIR nor has he any concern with the tempo or the alleged seized liquor. He has no criminal antecedent and is in custody since 6.11.2020. Chargesheet has been submitted in the case.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the period in custody and the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Andhramath P.S. Case no. 139 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 Additional Sessions Judge- II – cum - Special Judge (Excise Act), Madhubani.

(Partha Sarthy, J)

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