

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7699 of 2021

Arising Out of PS. Case No.-373 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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DHARMENDRA KUMAR S/o Chandeshwar Rai, Resident of Village-
Bathuara, P.S.- Bela, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-06-2021 Heard learned counsel for the petitioner and learned
APP 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 normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30 (a) of the Bihar Prohibition
and Excise Act, 2016.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has falsely been implicated in
this case. There is no recovery from the conscious possession of
the petitioner, rather there is recovery of total 288 liters of



Nepali Soufi wine from the Auto/Tempo. The petitioner is the driver of the said vehicle, he had no knowledge about the illegal wine was loaded in his vehicle and the passengers fled away after seeing the policy party. The petitioner is languishing in custody since 10.10.2020. The petitioner has got no criminal antecedent.

Learned APP for the State opposed the bail petition.

Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five 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.

Considering the aforesaid facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 the learned Court below where the case is pending in connection with Case No. C2/373/2020.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000/- (Rupees Five Thousand) in the PM Cares fund; subject to the condition that the bailor shall also state on



affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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