

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25160 of 2022

Arising Out of PS. Case No.-16 Year-2021 Thana- DAWATH District- Rohtas

DHARAMNATH SINGH Son of Sidhari Singh R/o Village - Dhavae, P.S. -
Dawath , District – Rohtas. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dawath P.S. Case no. 16 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 501.12 litres of IMFL from the semi constructed house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He along with his full brother has been falsely implicated in this case. He has no criminal antecedent. Petitioner was living at Surat since twenty years and in this regard, a certificate issued by Mukhiya of Gram Panchayat, is annexed to this petition. Apart from this, for a single offence,



implication of two full brothers is not just and proper. His brother, who is co-accused in this case has remained in custody for more than nine months and granted regular bail by a co-ordinate Bench of this Court vide order dated 13.01.2022 passed in Cr. Misc. No. 46984 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Dawath P.S. Case no. 16 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd-cum-Spl. Judge Excise-I Rohtas at Sasaram subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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