

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62109 of 2021

Arising Out of PS. Case No.-258 Year-2021 Thana- RIGA District- Sitamarhi

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Dhan Kumar S/O Kishori Mahto R/O Village-Madhesara, P.S-Sonbarsa,
District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, APP

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Riga P.S.
Case No. 258 of 2021 instituted for the offences under Section
414 of the Indian Penal Code read with Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.07.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that
allegation is of recovery of 2739.60 litres of liquor from a truck
and a car out of which only 99 litres liquor was recovered from the
car.

Learned counsel for the petitioner submits that the



petitioner neither has any concern with the car nor with the truck or the cement godown and he was merely a passerby when he came to be implicated based on suspicion that the petitioner might have been involved in the present case.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 21.07.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge (Excise Act), Sitamarhi in connection with Riga P.S. Case No. 258 of 2021.

Learned counsel for the petitioner is permitted to rectify the pleadings made in the prayer portion of the bail application within one week after the Court starts in physical mode.

(Satyavrat Verma, J)

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