

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72259 of 2021

Arising Out of PS. Case No.-184 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Dharmendra Kumar S/o Late Vindeshwar Prasad R/o village- Kumma Ward
No. 4 (Mumha), P.S.- Sursand, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-05-2022 Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
G.O. Case No. 184 of 2021 for the offence under section
30(a) of Bihar Prohibition and Excise Amendment Act,
2018.

As per the FIR, the team of Excise Department
raided the house of the petitioner and recovered India Made
Foreign Liquor as well as Nepali Saufi Wine totaling 62.250
ml.

Considering the fact that the petitioner is in



custody since 1.11.2021 (as stated in para-10 of the bail application), charge-sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-II cum Special Judge, Excise, Sitamarhi, in connection with G.O. Case No. 184 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at



liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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