

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8542 of 2023

Arising Out of PS. Case No.-324 Year-2022 Thana- CHAKAI District- Jamui

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DHARAMVEER KUMAR @ DHARMVEER KUMAR Son of Janardan
Yadav Resident of Village- Keshopur, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Amar Prakash
For the Opposite Party/s	:	Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 272, 273, 427/34 of
the Indian Penal Code and section 30(a) of the Bihar Prohibition
and Excise Act.

Prosecution case relates to recovery of 224.25 litres of
IMFL from a silver colour toyata car bearing registration no.
WB0253297 of which petitioner was driver. Two persons
including the petitioner and co-accused Roushan Kumar, who
was sitting inside the car, were arrested on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the vehicle in question. Provision of Section 100 Cr.P.C. has not been followed by the police while preparing the seizure list. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 29.4.2023 passed in Cr. Misc. No. 8361 of 2023. Petitioner is languishing in judicial custody since 12.12.2022.

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

Petitioner is directed to deposit Rs. 20,000/- (Rs. twenty thousand) in the concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Presiding Officer, Exclusive Excise Court-i, Jamui in connection with Chakai P.S. Case No. 324 of 2022.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs.



20,000/- (twenty thousand only) by the petitioner in the account
of concerned DLSA.

(Sunil Kumar Panwar, J)

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