

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29617 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- DANAPUR District- Patna

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Dharmendra Kumar @ Dharmendra Langra, Son Of Umesh Rai @ Umesh Prasad @ Umesh Yadav R/O Pachuchak Ps- Danapur, Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 2160 litre of liquor from a vehicle as detailed in
the F.I.R. Further, Vikky Kumar and Mantosh Kumar were
arrested.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that he came to be implicated based on confessional statement



of co-accused in police, which does not have any evidentiary value, when admittedly, petitioner is a person with clean antecedent. It is next submitted that petitioner is not the owner of the vehicle, which was seized.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Danapur, Patna in connection with Special Case No.45 of 2022 arising out of Danapur P. S. Case No.29 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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