

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29320 of 2023

Arising Out of PS. Case No.-416 Year-2022 Thana- RIGA District- Sitamarhi

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DHARMENDRA KUMAR @ DHARMENDRA YADAV, aged about 30 years, Male RESIDENT OF VILLAGE- SANDHWARA, PS- BAJPATTI, DISTT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-05-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Riga P.S. Case No. 416 of 2022 dated 25.09.2022 registered for the offence(s) punishable under Section(s) 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the instant matter relates to the recovery of 745.5 litres of illicit liquor and the same is stated to have been recovered from four motorcycles and two cars but the petitioner is neither the owner nor the driver of any of the said vehicles and he was not arrested at the spot of recovery and



as per allegation, three co-accused persons, namely, Dilip Kumar, Shivam Kumar and Jai Shankar Kumar, who were arrested at the spot of recovery, disclosed the name of this petitioner and one co-accused Parmendra @ Parmendra Rai @ Parmendra Kumar and the said co-accused Parmendra @ Parmendra Rai @ Parmendra Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.2492 of 2023 and petitioner's case is identical to the said co-accused and two other co-accused persons, namely, Jai Shankar Kumar @ Jai Shankar Kumar Sahni @ Jayshankar Kumar Sahani and Dilip Kumar, who were arrested at the spot, have been granted regular bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. Nos.72271 of 2022 and 68211 of 2022 respectively. Further submissions are that though against the petitioner, there are criminal antecedents of two cases but he is on bail in the said cases and in the present matter, he has been languishing in jail since 12.02.2023 and against him, the investigation has been completed.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the



case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with Riga P.S. Case No. 416 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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