

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43670 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- MAIRWAN District- Siwan

Dharmendra Kumar Son Of Vishwanath Rai Village Pahleja Shahpur Diyara,
P.S. Sonapur, District Chapra Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner prayed for regular bail in
connection with Mairwa P.S. Case no. 166 of 2023
instituted for the offence under Sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 209.700
liters illicit liquor from a tempo bearing Reg. No.
BR04AM-8018.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in
this present case. He has got no criminal antecedent.



Petitioner has no concern with the alleged recovery nor vehicle in question belongs to him. No any incriminating article has been recovered from his possession. The petitioner is languishing in judicial custody since 02.06.2023.

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

The petitioner is directed to deposit a sum of Rs 5,000/- (Five Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail after framing of charge, if charge has not been framed as yet. The above named petitioner is directed to be released on bail in connection with Mairwa P.S. Case No. 166 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-1, at Siwan.

The bail bonds of the petitioner shall be accepted



by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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