

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61463 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- WARISLIGANJ District- Nawada

Dharmendra Kumar Son Of Surendra Raut Resident Of Village- Kochgaon,
Ps- Warisaliganj, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 254.400 liters of illicit wine from a field and one motorcycle without number plate has also been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not apprehended on spot and also nothing has been recovered from the conscious possession of the petitioner. He has no concern either with the seized wine or with the vehicle in question. It is



further submitted from para-8 of this petition that the name of the petitioner came in this case during the course of investigation because he was found to be the owner of the seized motorcycle but the real fact is that the alleged motorcycle was sold by petitioner to one Tripurari Kumar and in support of this, Annexure-2 has been annexed in this petition. Moreover, the petitioner is languishing in judicial custody since 24.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Warisaliganj P.S. Case No. 104 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 II, Nawada.

(Sunil Kumar Panwar, J)

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