

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68329 of 2022

Arising Out of PS. Case No.-459 Year-2022 Thana- KOILWAR District- Bhojpur

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DHARMENDRA RAI Son of Yamuna Rai R/V- Mahakampur, Bada, P.S- Ara
Mufassil, Dist- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Koilwar P.S. Case No. 459 of 2022 registered under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

On two motorcycles, there is alleged recovery of 300 litres illicit liquor. The petitioner, as per prosecution case, has been apprehended while fleeing away.

Learned counsel for the petitioner submits that he has no concern with the vehicles or the liquor. Due to suspicion, he has been apprehended while he was passing by the place of recovery. Having



no antecedent, he is in custody since 15.07.2022. Investigation is complete.

Learned APP has opposed the prayer for bail.

Having regard to the manner of recovery, the submissions advanced by the parties, the period of custody and the fact that investigation is complete, this Court is inclined to allow the petitioner's prayer for bail. Prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. IInd, Bhojpur at Ara in Koilwar P.S. Case No. 459 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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