

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65516 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- SIMRA District- Aurangabad

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DHARMENDRA KUMAR SON OF KULESHWAR SINGH RESIDENT OF
VILLAGE- HANEYA, PO- MATPA, PS- KUTUMBA, DISTT-
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

3 08-12-2023 Heard the learned Advocate for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Simra P.S. Case No. 34 of 2023, dated 01.08.2023,
registered under Sections 30(a) Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. It is submitted by the learned Advocate for the
petitioner that 17.28 litres country made liquor was recovered
from the possession of Rahul Kumar and Prem Kumar, while they
were moving by a motorcycle owned by the present petitioner. He
further submits that the accused persons requested the petitioner to
give his motorcycle to bring some other materials. On good faith
he gave the said motorcycle. He was not known about carrying
illicit liquor by the accused persons, who were apprehended.

4. Learned Additional Public Prosecutor for the State has



vehemently opposed the prayer for bail of the petitioner.

5. Accordingly, the anticipatory bail application is allowed.

6. In view of such circumstances, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, one of whom must be a local surety having landed property, to the satisfaction of the learned Special Judge, Excise Court No.-1, Aurangabad (Bihar) in connection with Simra P.S. Case No. 34 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that he must comply the conditions, namely, he would not persuade or threaten the witnesses and would be present in the Court below during trial on all dates.

7. Failure on the part of the petitioner to comply with any of the above directions will entail the learned court below to cancel the bail without any further order.

(Bibek Chaudhuri, J)

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