

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1502 of 2023

Arising Out of PS. Case No.-335 Year-2022 Thana- RIVILGANJ District- Saran

1. Dharmendra Singh Son Of Mahendra Singh R/O Village- Khorliya, P.S.- Shivanvali, District- Hapur (U.P.)
2. Jhony Rana Son Of Chaman Singh @ Chaman R/O Village- Hapur, P.S.- Hapur, District- Hapur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners prayed for regular bail in connection with Rivilganj P.S. Case no. 335 of 2022 instituted for the offence under Sections 30(a)/41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 3564 liters Indian Made Foreign Liquor which was recovered from a truck bearing Reg. No. UP13BT-0457, after that this case has been lodged.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and



have committed no offence. The petitioner no-1 is the driver of the alleged seized truck due to which he has falsely been implicated in this present case. Petitioners have no concern with the alleged recovery nor vehicle in question belongs to them. No any incriminating article has been recovered from their conscious possession. It is further submitted that the petitioners have got no criminal antecedent moreover, they are languishing in judicial custody since 23.09.2022.

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

The petitioner No-1 namely, Dharmendra Singh is directed to deposit a sum of Rs 1,00,000/- (one lakh) 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 petitioners on bail. The above named petitioners are directed to be released on bail in connection with Rivilganj P.S. Case no. 335 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive



Special Judge Excise Court, Saran at Chapra.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 1,00,000/- (Rs. One lakh) by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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