

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71816 of 2023

Arising Out of PS. Case No.-903 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Dharam Kumar Son Of Ramji Mahto Resident Of Village- Manika Buzurg,
P.- Sarai Ranjan, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra
For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 467, 468, 471, 420 and 120B of the Indian Penal Code and Sections 30(a), 32(i), (ii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 7238.160 liters of illegal liquor from the Godown of the co-accused Vipin Kumar@ Ranjan Singh.

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 due to enmity. The petitioner was not apprehended on spot. Nothing has been recovered from



his conscious possession. He has no concern with the seized liquor. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 17.10.2023 in Cr. Misc. No 70835 of 2023. Moreover, the petitioner is languishing in judicial custody since 13.09.2023.

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 Sadar P.S. Case No. 903 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 Special Judge, Excise-1st, Muzaffarpur.

(Sunil Kumar Panwar, J)

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