

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1018 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- BARHIYA District- Lakhisarai

Dhirendra Das Son Of Late Ramdev Das R/O Village- Shankari, P.S.- Jasidih,
District- Deoghar (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Barahiya P.S. Case No. 197 of 2022 dated 14.09.2022 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of total
30 litres of foreign liquor from the alleged vehicle (tempo) but
the petitioner has no concern with the alleged liquor, in fact he
was stated to be driver of the alleged vehicle and the co-accused
Rahul Ranjan had hired the alleged vehicle to go somewhere
and the petitioner had no knowledge about the alleged wine
being kept in two bags, which the co-accused was carrying and



there is no independent witness of search and seizure of the alleged liquor and the petitioner has been implicated in this case by the police party with an ulterior motive. Further submissions are that the petitioner has fair and clean antecedent and has been languishing in jail since 14.09.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. In view of the above submissions made by learned counsel for the petitioner as well as petitioner's fair and clean antecedent and also the fact that there is no independent witness of the alleged recovery, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Barahiya P.S. Case No. 197 of 2022.

(Shailendra Singh, J)

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