

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9226 of 2024

Arising Out of PS. Case No.-749 Year-2023 Thana- Excise P.S. District- Muzaffarpur

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Dharmendar Kumar @ Dharmendra Yadav @ DHARMENDRA KUMAR
SON OF Prakash Singh RESIDENT OF VILLAGE- HUSSAINPUR, PS-
RAMPURA, DISTT- REWARI , HARYANA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-02-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 207.360 liters of liquor from a *godown* and 2.700 liters of liquor from a Bolero vehicle.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is neither the owner of the *godown* nor of the seized vehicle and he came to be



implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise Case No. 749 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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