

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22093 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- BARAULI District- Gopalganj

Dharmbeer @ Dharamveer @ Dharmbeer @ Dharmbir Son of Late Raghubeer Singh Resident of New Dalveer Nagar, Wadhawa Ram Colony, P.S.- Kila Chauki, District- Panipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Barauli P.S. Case No. 68 of 2024, instituted for the offences punishable under Section 420 of the Indian Penal Code, Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 8064 liters liquor was recovered from truck and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner is driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 16.02.2024 and has got one criminal antecedent in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barauli P.S. Case No. 68 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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