

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37563 of 2024

Arising Out of PS. Case No.-547 Year-2023 Thana- Excise P.S. District- Rohtas

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Dharmendra Kumar S/o Late Tilakdhari @ Tilakdhari Singh R/o Village
Rakiyan Bigha, P.S.- Amjhor, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Excise Case No.1459 of 2023 arising out of Excise P.S. Case
No.547 of 2023 registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 18 ltr. of
illicit foreign liquor was recovered, which was kept under husk,
from outside the house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that the husk was kept outside of the house
of the petitioner and it was accessible to all. Learned counsel
further submitted that neither the petitioner is involved in the
business of the liquor nor he has concern with the said seized
liquor.



5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise-1, Excise Court No.1, Rohtas at Sasaram/concerned court in connection with Excise Case No.1459 of 2023 arising out of Excise P.S. Case No.547 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J.)

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