

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44844 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- Excise P.S. District- Madhubani

Dharmendra Gorhan S/O Ram Sevak Gorhan R/O Village-Sugapatti, ward no. 06,P.S.-Phulparas, Distt-Madhubani

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Ravi Prakash, Advocate
Mr. Udeshya Kumar Yadav, Advocate
For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jhanjharpur Excise P.S. Case No. 67 of 2024, G.O. No. 443 of 2024, instituted for the offences punishable under Sections 30(a), 23(1) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 172.800 liters liquor was recovered from car 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 car in question and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 07.04.2024 and has got no criminal antecedent. 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 Jhanjharpur Excise P.S. Case No. 67 of 2024, G.O. No. 443 of 2024.

(Rudra Prakash Mishra, J)

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