

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81386 of 2023

Arising Out of PS. Case No.-908 Year-2023 Thana- Excise P.S. District- Siwan

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DHARMENDRA KR YADAV @ DHARMENDRA KUMAR YADAV Son of
Balindra Yadav Resident of Village - Barhuliya, P.S.- Andar, District - Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act.

3. The petitioner is said to have been apprehended with a Scorpio vehicle bearing registration no. JH12C-3973 from where, total 1035 liters of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent. The petitioner is only co-driver of the seized vehicle but he has no concern with the alleged recovery of illicit liquor. No any incriminating



article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 26.9.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. The petitioner is directed to deposit a sum of **Rs 10,000/- (Ten Thousand)** in the District Legal Services Authority of concerned District.

7. Considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise Siwan P.S. Case No. 908 of 2023 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 Court-II, Siwan.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 10,000/- (Rs. Ten thousand)** by the petitioner in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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