

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3489 of 2025

Arising Out of PS. Case No.-229 Year-2022 Thana- GORIAKOTHI District- Siwan

Dharmendra Bharti S/O Sagar Bharti Resident of Village - Wajidpur, P.S.-
Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2025 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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. Altogether 1.500 litres of foreign liquor is said to have been recovered from the seized Scorpio. The allegation levelled against the petitioner is that he along with two other co-accused persons fled away from the spot after seeing the police.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or



any trade of liquor or seized vehicle. The allegation levelled against the petitioner is totally false and based on concocted facts. He has falsely been implicated in this case at the instance of his enemy. He was not apprehended on the spot. His name has been transpired in the present case merely on the basis of the statement of local villagers. Learned counsel further submits that petitioner has two criminal antecedents as mentioned in para 3 of the bail application

5. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Goreakothi P.S. Case No. 229 of 2022, subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023, subject to the further conditions that



(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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