

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.803 of 2025

Arising Out of PS. Case No.-343 Year-2018 Thana- MASHRAK District- Saran

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Dhananjay Kumar Singh @ Guddu Singh @ Guddu Son of Awadhesh Kumar
Singh Resident of Village- Boraha, P.S.- Panapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-02-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mashrak P.S. Case no.343 of 2018 registered under sections 272 and 273 of the Indian Penal Code and sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the allegations in the FIR, it is stated that on search being conducted, 6200 litres of illicit liquor was recovered from the truck and the accused persons ie the driver Ashok Kumar, the co-driver Ravish Kumar and one Pankaj Kumar Tiwary were taken into custody. It is further stated that no documents were produced by the accused. On enquiry, they disclosed that the liquor had been sent by one Rajan Sah of Siwan and the same was to be delivered to the petitioner and



others who were stockists. These persons were to supply the same to others. Thus, the petitioner and others are involved in the business of liquor.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his antecedent. No incriminating article was recovered from his possession. His name transpired in the statement of co-accused who was caught with the liquor and it is alleged that the liquor had been sent by one Rajan Sah of Siwan to be delivered to the petitioner who was stockist. The petitioner not having any concern with the seized liquor, the truck in question nor with the accused persons and being in custody since 10.12.2024, he be enlarged on bail. Chargesheet has been submitted in the case.

5. The application is opposed by learned APP for the State who submits that huge quantity of 6200 litres of liquor was recovered and the petitioner has antecedent under the Bihar Prohibition and Excise Act, 2016.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, no incriminating article having been recovered from the petitioner's possession, the name of the petitioner transpiring in the statement of co-accused made before police and the petitioner



being in custody since 10.12.2024, the Court directs the petitioner to be enlarged on bail in connection with Mashrak P.S. Case no.343 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Court, Saran at Chapra.

(Partha Sarthy, J)

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