

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70241 of 2018

Arising Out of PS. Case No.-324 Year-2018 Thana- MAIRWAN District- Siwan

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Dhananjay Prasad Soni @ Dhananjay Prasad s/o Yogendra Prasad Soni, r/v-
Misir Batraha, P.S.-Phulwariya, District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar, Adv.

For the Opposite Party/s : Mr. Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-12-2018 Heard the parties.

The petitioner seeks bail in Mairwa P.S. Case No. 324/2018, registered for the offences punishable under Sections 272, 273, 308 and 34 of the Indian Penal Code and sections 30(1), 38(i) and 41(1) of Bihar Prohibition & Excise Act.

Allegedly, 406.80 litres of foreign liquor was recovered from the Bolero vehicle owned by the petitioner. The petitioner was found to be sitting in the vehicle. The petitioner was apprehended on 25.08.2018.

It has been stated that the police upon completion of investigation have submitted charge-sheet and there is therefore, no chance of tampering with the evidence. Referring to the order passed by the court below refusing petitioner's prayer for



grant of regular bail wherein it has been recorded that the petitioner has criminal antecedent. It has been contended that the same is an error of record. The petitioner, accordingly has no criminal antecedent.

Considering the above submission, this application is allowed. Let the petitioner above-named, be released on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge IInd-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 324/2018.

(Chakradhari Sharan Singh, J)

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