

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17873 of 2019

Arising Out of PS. Case No.-509 Year-2018 Thana- CHANPATIA District- West Champaran

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Dinesh Dalmiya @ Laddu Dalmiya, aged about 40 years, male, Son of
Radhey Shyam Dalmiya, Resident of Village- Chanpatia, Ward No.24, P.S.-
Chanpatia, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Ms. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 29-03-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Chanpatia P.S. Case No. 509 of

2018, dated 11.12.2018, instituted for the offences under

Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Approximately one and half litres of liquor is said

to have been recovered from beneath the sand but outside

the house of the petitioner. The recovery, it has been

alleged, is from an open space without any enclosure. The



recovery therefore, it has been argued, cannot be said to have been made from the possession/constructive possession of the petitioner.

Regard being had to the aforesaid facts and the clean antecedents of the petitioner, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Chanpatia P.S. Case No. 509 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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