

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24920 of 2019**

Arising Out of PS. Case No.-268 Year-2018 Thana- ATHMALGOLA District- Patna

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Dharmendra Kumar @ Dharmendra Rai @ Tota Yadav, Son of Late  
Ramjanam Rai, Resident of Lahariya Tola Kalayanpur, P.S.- Athmalgola,  
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

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

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      18-04-2019                      Heard learned counsel for the petitioner and the  
  
learned counsel appearing on behalf of the State.

The petitioner is in custody since 22.02.2019 in  
connection with Special Case No. 10422 of 2018 arising out of  
Athmalgola P.S. Case No. 268 of 2018 registered for the offence  
under Section 30(a) of the Bihar Prohibition and Excise Act,  
2016.

Learned counsel for the petitioner submits that the  
alleged recoveries were not from the conscious possession of  
the petitioner but from a toilet which is in common occupation  
of several persons.

Considering the aforementioned facts and  
circumstances and that the petitioner has no criminal history, let



the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna, in connection with Special Case No. 10422 of 2018 arising out of Athmalgola P.S. Case No. 268 of 2018.

**(Anjana Mishra, J)**

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