

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24756 of 2019

Arising Out of PS. Case No.-58 Year-2019 Thana- RAJNAGAR District- Madhubani

Chhedi Dhankar @ Chhedi Mallik, Son of Late Dukhai Mallik @ Late
Dukhai Dhankar, resident of Village - Kasiyauna, P.S.- Rajnagar, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Opposite Party/s : Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 17-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Rajnagar P.S. Case no.58 of 2019, registered under Section
272 & 273 of the Indian Penal Code and Section 30 (a) of the
Bihar Prohibition and Excise Act, 2016.

73.500 liters of Nepali liquor is said to have been
recovered from the rear side of the house of the petitioner
allegedly kept there by the petitioner and two other accused
persons.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no



concern either with the seized liquor or the place of recovery. The place of recovery is an open place and easily accessible to all. He has been falsely implicated in the case at the instance of his enemies. He was not apprehended on the spot. There is violation of Section 100 Cr.P.C. He has no criminal antecedent.

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 four weeks from today, 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 Additional District and Sessions Judge 2nd-cum-Special Judge, Excise Act, Madhubani in connection with Rajnagar P.S. Case No. 58 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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