

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83044 of 2019

Arising Out of PS. Case No.-767 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Dhiraj Kumar Singh Son of Umashankar Singh Resident of Village - Rampur,
Laxmi, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
For the Opposite Party/s : Mr. Renuka Ratnakar

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

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kanti P.S.
Case No. 767 of 2019 registered for the offence punishable
under Sections 30(a), 38 and 41 of Bihar Prohibition & Excise
Act-2016-18.

778.110 lts. of foreign liquor is said to have been
recovered from the house of the petitioner and father and
brother of the petitioner were apprehended while other accused
persons including the petitioner managed to escape.

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



either with the seized liquor or with any trade of liquor. He was not apprehended on the spot rather father and brother of the petitioner, namely, Neeraj Kumar Singh were apprehended. He was apprehended from his house on the subsequent date. The house of the petitioner is inhabited by his several other family members as it is joint family house. There is violation of Section 100 Cr.P.C. Petitioner has been languishing in custody since 27.11.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner 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 learned Special Judge, Excise, Muzaffarpur in connection with Kanti P.S. Case No. 767 of 2019.

(Prakash Chandra Jaiswal, J)

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