

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30252 of 2020

Arising Out of PS. Case No.-122 Year-2020 Thana- BANIAPUR District- Saran

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DHARMENDRA CHOURASIA Son of Kanhaiya Bhagat Resident of
Village- Lauwa Kala Tedhighat, P.S.- Baniyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.

For the Opposite Party/s : Ms. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Pronoti Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Baniyapur P.S. Case No. 122 of 2020, registered for the offence punishable under Sections 30(A) of the Bihar Prohibition & Excise Act.



The allegation is regarding recovery of 40 liters of illicit country made wine from behind the house of the co-accused person, namely, Lallan Ram.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 31.07.2020.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra in connection with Baniyapur P.S.Case No. 122 of 2020.

(Mohit Kumar Shah, J)

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