

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77059 of 2019

Arising Out of PS. Case No.-620 Year-2019 Thana- TURKAULIYA District- East
Champaran

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DHIRENDRA KUMAR @ DHIRAN YADAV Son of Dhrup Rai @ Dhrup
Yadav Resident of Village- Chilraw, P.S.- Turkauliya, District- East
Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Turkauliya P.S. Case No. 620 of 2019 for the offence registered
under Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition
and Excise Act.

The allegation is regarding recovery of 1400 litres of
illicit spirit, recovered from near the sugarcane field of one
Rajeshwar Singh from the temporary road. It is further alleged
that while the accused persons were fleeing away, they are
stated to have been recognized by the Police in the light of the
police jeep.

The learned counsel for the petitioner has submitted



that merely on the basis of suspicion, the petitioner has been falsely implicated in the present case and he is languishing in custody since 04.09.2019. Lastly, it is submitted that the illicit spirit has not been recovered from the possession of the petitioner and the sugarcane field also does not belong to the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that no recovery has been made from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 9th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 620 of 2019.

(Mohit Kumar Shah, J)

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