

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33746 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- MAJHAULIA District- West Champaran

1. Bholi Dhangar Son Of Ramjee Dhangar Village Bakhariya Dhangartola Ps Majhauria District West Champaran
2. Sanjay Dhangar Son Of Late Fulena Dhangar Village Bakhariya Dhangartola Ps Majhauria District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

Learned counsel for the petitioners submits that petitioner no. 2 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to the petitioner no. 2

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to the petitioner no. 2.

Heard learned counsel for the petitioner and learned APP for the State.



The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 2000 liters of Jawa Mahua is said to have been recovered from the bush. He submits that on the basis of suspicion, petitioner has been made accused in this case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 30,000.00 (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstances of the case and the fact that there is no recovery from the conscious possession of the petitioner, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Majhaulia P.S. Case No. 23 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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