

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25696 of 2022

Arising Out of PS. Case No.-189 Year-2021 Thana- HALSI District- Lakhisarai

BIRENDRA DHADI @ VIRENDRA DHADHI S/o Late Ram Swaroop
Dhadhi R/o village- Kakrauri, P.S.- Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

25 litres of country made *Mahua* liquor has been recovered near the river Chhoti Nadi. The Mahal Chowkidar disclosed the name of the petitioner. The petitioner and other co-accused persons are said to have fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery



from the conscious possession of the petitioner and petitioner has got one criminal antecedent of similar nature as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.20,000/- (rupees twenty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, 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 learned Additional District and Sessions Judge 4th – cum – Special Judge, Excise Court – 1, Lakhisarai in connection with Halsi P.S. Case No.189 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:



(i) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J.)

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