

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41798 of 2021**

Arising Out of PS. Case No.-63 Year-2021 Thana- MAJORGANJ District- Sitamarhi

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DHIRAJ KUMAR S/O YOGENDRA SINGH R/o village- Dumari Kala, Tole
Dangraha, P.S.- Majorganj, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Rajendra Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 06-01-2022 The matter has been taken up for online hearing
through video conference because of COVID-19 pandemic
restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Majorganj P.S. Case No. 63 of 2021, disclosing offence
punishable under Sections 272/273/34 of the Indian Penal Code
and Sections 30(a), 37(b) and 37(c) of Bihar Prohibition and
Excise Act, 2016.

The petitioner is in custody since 09.04.2021. It is
alleged in the FIR that 72 litres of *Nepali Saufi* wine was
recovered from the possession of two accused persons including



this petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that allegedly from the petitioner's possession 36 litres of *Nepali Saufi* wine was recovered from the bag tied with his motorcycle. While denying the allegation made in the FIR, he submits that there is no chance of petitioner's tampering with the evidence if granted privilege of regular bail.

Considering the nature of accusation and the period of petitioner's custody, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Sitamarhi, in Majorganj P.S. Case No. 63 of 2021.

(Chakradhari Sharan Singh, J)

Rajesh/-

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