

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40950 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- MALI District- Aurangabad

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Dharmenda Kumar Singh @ Dharmendra Singh S/O Ramnandan Singh
Resident of Village- Bariyawa, P.S.- Mali, District- Auranagabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Ranjan, Advocate
		Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s :		Ms.Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mali P.S.
Case No. 49 of 2022 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 23.5.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 46.5 litres of IMFL/country made liquor from the
alleged plastic bag.



Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the plastic bag, which is not connected with petitioner in any manner. It is also submitted that seizure list is not supported by independent witness. It has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as seizure list is disputed coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mali P.S. Case No. 49 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Judge, Excise-2nd, Aurangabad/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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