

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43445 of 2022

Arising Out of PS. Case No.-106 Year-2021 Thana- JANDAHA District- Vaishali

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DHIRAJ KUMAR PANDEY @ DHIRAJ KUMAR @ DHIRAJ PANDEY
S/O JITENDRA KUMAR PANDEY @ JITENDRA PANDEY Resident of
Village- Dharampur Bande, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-09-2022 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 Jandaha

P.S. Case No. 106 of 2021 registered for the offence under

Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition and

Excise Act, 2018.

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

custody since 04.06.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 2624.565 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner

submitted that name of the petitioner surfaced on the basis of



secret input and admittedly, it is not a case of recovery of alleged illicit liquor from the physical possession of the petitioner. While concluding the argument, it has been submitted that investigation is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor has not been made from the physical possession of the petitioner 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 Jandaha P.S. Case No. 106 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Prohibition & Excise Court No. I-cum-Additional District & Sessions Judge, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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