

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50633 of 2022

Arising Out of PS. Case No.-134 Year-2022 Thana- BARAUNI District- Begusarai

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Dharo @ Dharvendra Kumar Son of Rambabu Rai R/O Village - Rachiyahi
Nayatola, P.S.- Mufassil Singhaul, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-10-2022 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 Barauni

P.S. Case No. 134 of 2022 registered for the offence under

Sections 30(a) 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 23.07.2022.

The allegation against the petitioner is to be engaged

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

was recovery of 193.2 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



confessional statement of apprehended driver and admittedly, no illicit liquor was recovered from the conscious physical possession of this petitioner. While concluding the argument, it is categorically submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as alleged recovery of illicit liquor was not made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barauni P.S. Case No. 134 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 Exclusive Special Excise Judge-I, Civil Court, Begusarai/concerned court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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