

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61554 of 2021

Arising Out of PS. Case No.-212 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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DHEERAJ KUMAR @ DHEERAJ YADAV Son of Late Kameshwar Yadav
@ Kammu Yadav Resident of Village - Amipur, P.S. - Muffasil, District -
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with G.O. Case No. 212/2020, registered for the offence punishable under Sections 30(a)(d) of the Bihar Excise and Prohibition Act.

The allegation is regarding recovery of 34 liters of illicit liquor, huge quantity of empty bottles, packing machine and stickers from the cowshed allegedly belonging to the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 4.9.2021. The learned counsel for the petitioner has further submitted by referring to the paragraph no. 7 of the present petition that the petitioner is not having any cowshed in the village in question, hence, the allegations levelled against him are false. It is also submitted that no illicit liquor has been recovered from the conscious possession of the petitioner inasmuch as the petitioner has not been arrested from the spot & in fact he had surrendered subsequently, before the Ld. court below.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has categorically denied



regarding him having any cowshed in the village in question, apart from fact that no illicit liquor has been recovered from the conscious possession of the petitioner as also the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Second Additional Sessions Judge-Cum-Special Judge, Nawada in connection with G.O. Case No. 212/2020.

(Mohit Kumar Shah, J)

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