

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54383 of 2022

Arising Out of PS. Case No.-166 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Dhanjay Kumar, Son Of Dilip Thakur @ Dilip Kumar Thakur, R/O Village-
Repura, Ward No. 17, P.S.- Lalganj, Distt.- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate
For the Opposite Party/s : Mr.A.G., APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Prohibition and Excise Thana Vaishali
(Hajipur) Case No. 166 of 2022 registered for the alleged
offences under Sections 30 (a), 32(1), 32(3), 41(1), 41(2) and 36
of the Bihar Prohibition and Excise Act.

As per prosecution case, recovery of 285 litres of
India made foreign liquor was made from the cow shed of the
petitioner and the petitioner was apprehended from the spot.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has got no concern with the alleged recovery. The petitioner is in custody since 07.08.2022 and is having clean antecedent. The prosecution report has been submitted in this case.

Learned APP opposes the prayer for bail.

Having regard to facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of custody of the petitioner along with the submission of prosecution report, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No-IInd-cum-Additional District Judge, Vaishali at Hajipur in connection with Prohibition and Excise Thana Vaishali (Hajipur) Case No. 166 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each



and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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