

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56598 of 2022

Arising Out of PS. Case No.-271 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Dharmendra Singh Son of Haridar Singh R/v- Behind Dhankadha Budhwa
Mahadev , P.S- Sasaram Dhaurar, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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 Sasaram,
Dhaurar P.S. Case No. 271 of 2022 registered for the offence
under Section 30(a) of Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 16.06.2022.

The allegation against the petitioner is to be involved
in the illegal trading of illicit liquor, where 114.750 liters of
illicit liquor was recovered in front of his house.

Learned counsel appearing on behalf of the petitioner
submitted that recovery of illicit liquor was made from open
place i.e., in front of the house of the petitioner and, as such, it



can be safely gathered that recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet 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.

In view of the facts and circumstances. as mentioned above, as recovery not appears to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sasaram, Dhaurar P.S. Case No. 271 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 Judge-XIII, Rohtas, Sasaram/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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