

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57063 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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DHIRENDRA YADAV @ DHIRENDRA KUMAR, Son of Shri Suresh Yadav
Resident of Village - Shibdih, P.S.- Chanan, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanju Singh, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Lakhisarai Excise P.S. Case No. 167 C2 of
2022 registered for the alleged offences under Sections 30(a)
and 56(b) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, petitioner was apprehended
with 80 liters of country made liquor which he was carrying in a
plastic sack on his motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this

case. Nothing incriminating has been recovered from the conscious possession of this petitioner. The witnesses of seizure list are police personnel and no independent witnesses have been examined during the seizure. Charge sheet has been submitted in this case and the petitioner is in custody since 03.07.2022. The petitioner has got clean antecedent.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, the petitioner above named 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 Additional District Judge-IV-cum-Special Excise Judge-I, Lakhisarai in connection with Rail Lakhisarai Excise P.S. Case No. 167 C2 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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