

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69207 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

=====

DHARMENDRA PRASAD S/o Subhash Prasad @ Subash Kharwar R/o
Village - Nikhati Kalan, P.S. - Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Nand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Excise Case No. C-III-67 of 2021, registered for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, as per the prosecution
Report, is that the excise officials raided the house of the
petitioner and recovered 205.96 litres of illicit liquor kept in the
husk in front of the house of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and no illicit
liquor has been recovered from the conscious possession and/or



inside the premises belonging to the petitioner; rather the illicit liquor has been recovered from the husk kept in front of the house of the petitioner, which is an open space and is accessible to all and sundry. He further submits that the petitioner is in custody since 09.02.2021, having no criminal antecedent.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that illicit liquor has not been recovered from the conscious possession and/or inside the premises of the petitioner and the petitioner is in custody since 09.02.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Siwan, in connection with Excise Case No. C-III-67 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

