

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60238 of 2022

Arising Out of PS. Case No.-6 Year-2021 Thana- BAGENGOLA District- Buxar

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Dhanji Sharma Son of Manoj Kumar Sharma @ Manoj Kumar Resident of
village - Siyaruaa, P.S.- Jagdishpur, District – Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate
For the State : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Bagengola
P.S. Case No.6 of 2021 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.09.2022.

The allegation against the petitioner is to be in



possession of illicit liquor, where, there was recovery of 300 litres of illicit IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced on the basis of disclosure made by co-accused, namely, Krishna Paswan and admittedly this is not a case of recovery from the physical possession of this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above, as the recovery of illicit liquor appears not to be made from conscious physical possession of petitioner coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bagengola P.S. Case No.6 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Excise Special, Court No.1, Buxar/concerned court,



subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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