

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1187 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- RAJPUR District- Buxar

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DHANJI KUSHWAHA @ GHANA KUSHWAH @ DHANA KUSHWAHA
@ DHANJEE SINGH @ DHANA SINGH KUSHWAHA S/o Manoj Singh
R/o Village- Hethua, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 467, 468, 469, 471, 120B and 34 of the Indian Penal Code and sections 30(a) and (d) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on secret information having been received a raid was conducted and liquor was recovered from the house of Shyam Narayan Sah and Awadh Bihari Sah. It is stated that while six accused persons were caught, 7 to 8 accused managed to escape. The petitioner was identified amongst the accused who had escaped.

It is submitted by learned counsel for the petitioner



that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has been falsely implicated in the case. The aforesaid accused from whose house the illicit liquor was recovered have both been enlarged on bail. He is in custody since 22.10.2021 and has no criminal antecedent. It is further submitted by learned counsel for the petitioner that a supplementary affidavit has been filed stating therein about the marriage of his sister which is to take place.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioner not having any criminal antecedent and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Rajpur P.S. case no. 40 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 the learned Addl. Sessions Judge II-cum-Special Judge, Excise, Buxar.

(Partha Sarthy, J)

Prakash/-

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