

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62246 of 2022

Arising Out of PS. Case No.-342 Year-2022 Thana- KUDHNI District- Muzaffarpur

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Dharmendra Kumar S/O Rakesh Kumar R/O Village- Gadhakhera, P.S-
Gonda, District- Aligarh, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the State : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Kudhani

P.S. Case No. 342 of 2022 registered for the offence under

Sections 272, 273, 420, 467, 468, 471, 414 and 34 of the Indian

Penal Code and 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 28.07.2022.

The allegation against the petitioner is to be involved in illegal trading of illicit liquor, where 1346.04 liters of foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was apprehended, while running away from the place of recovery and, admittedly, recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. It is also submitted that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. 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 seizure list appears doubtful being not supported by independent witnesses rather by police personnel coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection



with Kudhani P.S. Case No. 342 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 Special Judge, Excise, Court No.2, Muzaffarpur/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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