

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39436 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- SINGHIYA District- Samastipur

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DHARMENDRA SAH SON OF LATE GULAB SAH @ LATE GULAB
SAHU RESIDENT OF VILLAGE- KUNDAL, WARD NO. 1, PS- SINGHIA,
DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Bharat Bhushan

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Singhiya P.S. Case No. 96 of
2023 (Excise G.R. No. 298 of 2023) dated 3.5.2023 registered
for the offence punishable u/s 30(a) of the Bihar Prohibition and
Excise Act.

As per the prosecution case, 915.420 litres of liquor
is alleged to have recovered from the hut of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The recovery is from an open place which is an abandoned hut. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 4.5.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Singhiya P.S. Case No. 96 of 2023 (Excise G.R. No. 298 of 2023).

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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