

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 45546 of 2023**

Arising Out of PS. Case No.-64 Year-2023 Thana- BARHARIA District- Siwan

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DIPU SINGH son of Dhruw Singh @ Dhurup Singh Village- Rohara Kala Ps-
Baraharia Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sandesh Roy, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 03-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The petitioner seeks bail in connection with
Barharia P.S. Case No. 64 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The accused/petitioner is named in the F.I.R. and is
in custody since 13.06.2023.

5. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor, where,
there is recovery of 198 litres of IMFL/country made liquor
from the field of Bechu Singh.

6. Learned counsel appearing on behalf of the



petitioner submitted that the name of petitioner surfaced on the basis of apprehended co-accused, namely, Arjun Kumar, which is sufficient to suggest that no illicit liquor recovered from his conscious physical possession. It is submitted that recovery of illicit liquor was made from an open field which belongs to one Bechu Singh. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as alleged recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 13.06.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Barharia P.S. Case No. 64 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-Excise,, Court No. 01,



Siwan/concerned Court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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