

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49681 of 2023

Arising Out of PS. Case No.-159 Year-2023 Thana- KUTUMBA District- Aurangabad

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DHANJIT KUMAR S/O Rajesh Paswan R/O Village- Ankupa, P.S- Kutumba,
Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-08-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Kutumba P.S. Case No.159 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. The accused/petitioner is named in the F.I.R.
and is in custody since 21.06.2023.

4. The allegation against the petitioner is to be
engaged in illegal trade of illicit liquor, where, there is recovery
of 67.05 litres of illicit liquor.

5. Learned counsel appearing on behalf of the
petitioner submitted that alleged motorcycle does not belong to
this petitioner, from where, recovery of illicit liquor was made



and as such, it cannot be said that alleged recovery of illicit liquor was made from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

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

7. Considering the facts and circumstances as mentioned above, as alleged recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner, where, petitioner is a man of clean antecedent and in custody since 21.06.2023, let the petitioner, above named, is directed to be released on bail in connection with Kutumba P.S. Case No.159 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 Special Judge, Excise Court No.1st, Aurangabad/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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