

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8128 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- CHACKMEHSI District- Samastipur

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DHEERAJ KUMAR @ DHEERAJ PANDIT @ DHIRAJ KUMAR @
DHIRAJ PANDIT SON OF DILIP PANDIT R/O-MALI NAGAR,
DHUBGAMA, P.S.-CHAKMEHSI, DISTT.-SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rohit Raj

For the Opposite Party/s : Mr.Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 13-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Chakmehsi P.S. Case No.150 of 2023 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 274.68 litres
of illicit liquor from hut situated at behind the house of the other
co-accused person.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioner rather the same was recovered from a hut situated behind the house of other co-accused person, namely, Rohit Kumar, who has already been granted anticipatory bail by a learned co-ordinate Bench of this Court through Cr. Misc. No.80057 of 2023 on 15.12.2023. It is further submitted the petitioner has no concern with the alleged recovery of illicit liquor. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 03.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Chakmehsi P.S. Case No.150 of 2023 on furnishing bail bonds 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.I, Samastipur.

7. However, the trial court is directed to conclude the proceeding of framing of charge according to law



within a period of 15 (fifteen) days from the date of receipt of a
copy of this order.

(Ramesh Chand Malviya, J)

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