

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13560 of 2024

Arising Out of PS. Case No.-183 Year-2023 Thana- KALER District- Jehanabad

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Dharmendra Mahto @ Dharmendra Kumar SON OF MAHESH MAHTO R/O
VILLAGE- ITA BHATA ICHDA, P.S.- JADUGORA, DISTRICT- PURBI
SINGH BHUM (JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

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

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Kaler P.S Case No. 183 of 2023 registered for the offences
punishable under Sections 30(a) of Bihar Prohibition and Excise
Act, 2016.

3. As per prosecution case, total 120 litres of illicit
foreign liquors was recovered from Dezire Car bearing
Registration No. JHO1X 9721.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that no incriminating article has been recovered from
the conscious possession of the petitioner. The petitioner being
driver of the said car had no knowledge about the illicit liquor



kept in the car. Learned counsel for the petitioner next submits that from perusal of the seizure list it appears that there was no any independent witness. It has been stated in para-3 of the instant bail petition, it has been stated that the petitioner has no criminal antecedent. The petitioner is in custody since 16.12.2023.

5. However, learned APP for the State opposed the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail after framing of the charge on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Jehanabad in connection with Kaler P.S Case No. 183 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that if the charge-sheet has not been submitted then the petitioner shall be released on bail on the above conditions and he shall be present physically on each



and every date before the trial court till conclusion of the
proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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