

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33610 of 2024

Arising Out of PS. Case No.-314 Year-2023 Thana- WAJIRGANJ District- Gaya

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Dharmendra Kumar Son Of Late Kaali Saw Resident Of Village- Bich Bazar
Tailiy Thakurwari, Ps- Hisua, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 05-07-2024 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Wazirganj P.S. Case No. 314 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 90 litres of desi mahua liquor.

4. It is submitted by learned counsel for the petitioner that from the fact of the case it appears that



alleged recovery of country made liquor was made from co-accused Kailash Kumar, where the implication of this petitioner reflects only being the registered owner of the motorcycle. It is pointed out that in view of recovery, it is almost an admitted position that same was not recovered from the physical conscious possession of the petitioner. While concluding arguments, it is submitted that the petitioner is a man of clean antecedents.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid facts and submission and by taking note of the fact that as the recovery of illicit country made liquor appears to be made from the co-accused, accordingly, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Court no. V, Gaya/concerned Court, where the case is



pending in connection with Wazirganj P.S. Case No. 314
of 2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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