

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7006 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- KOTWA District- East Champaran

Chandan Dhanger S/o- Late Kari Dhanger Village- Dipau Dhanger Toli Ps-
Kotwa Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kotwa
P.S. Case No. 255 of 2024, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 22 liters
liquor was recovered from the hut of the petitioner and the
petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel
for the petitioner also submits that the alleged recovery of liquor
has been made from an open place which is easily accessible to



public at large. The petitioner is in custody since 19.09.2024 and has got two criminal antecedents in which he is on bail in one case. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kotwa P.S. Case No. 255 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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