

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11630 of 2025

Arising Out of PS. Case No.-474 Year-2024 Thana- HISUWA District- Nawada

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Dhiraj Kumar @ Lallu Son of Kaushal Singh Resident of Village- Barahauna,
P.S.- Hisua, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-02-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Hisua Police Station Case No. 474 of 2024, dated 13.08.2024, registered for the offence punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner, along with others, has kept illicit liquor in the bush near Biscomaun Bhawan, proceeded towards the place of occurrence and on seeing the police, three persons came out of the bush and succeeded in fleeing away. The local Chowkidar identified them as the petitioner and two other co-accused persons. On search, the police recovered 100



litres of illicit country-made liquor kept in a white-coloured sack in the bush.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of disclosure of his name by the local Chowkidar due to ulterior motive. He further submits that nothing has been recovered from the conscious possession and/or premises belonging to the petitioner; rather the illicit liquor has been recovered from the bush, which is an open space and is accessible to all. He next submits that petitioner is in custody since 21.01.2025.
5. Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioner is in custody since 21.01.2025, the illicit liquor has been recovered from an open space and the name of the petitioner transpired in this case on the basis of disclosure of his name by the local Chowkidar, I am inclined to grant regular bail to the petitioner.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Exclusive Special Excise Court No. 1, Nawada, in
connection with Hisua Police Station Case No. 474 of
2024.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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