

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2827 of 2025

Arising Out of PS. Case No.-359 Year-2024 Thana- KESARIA District- East Champaran

Dharmendra Rai @ Dharmendra kumar S/O Bainath Rai @ Baidhanath Prasad Yadav R/V - Ward No 9, Kadhan, P.S - Kesaria, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, 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 Kesaria PS Case No. 359 of 2024 instituted for the offences under Sections 274, 275 of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 70 litres of country made liquor was recovered from three plastic bags.

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. It is submitted that local chowkidar disclosed the name of the petitioner. The



petitioner is in custody since 22.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kesaria PS Case No. 359 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

