

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5941 of 2025

Arising Out of PS. Case No.-590 Year-2024 Thana- SAKRA District- Muzaffarpur

Dharmendra Sah @ Dharmendra Kumar S/o- Ganaur Sah Resident of Village-
Juravnapatti PS- Sakra District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Smita Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-03-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sakra Police Station Case No. 590 of 2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on 22.11.2024 at about 12:05 A:M, the informant got an information that a huge quantity of liquor was being brought by one Pick-up van bearing registration No. BR09GA-0962 by three persons namely, Pallu @ Ramesh, Dharmendra Sah (petitioner) and Chinki Kumar and one motorcycle bearing registration No. BR06DK-1176 was lining up. On this information, the informant alongwith other police officials proceeded at Korigama where he saw one pick-up van coming from Bishanpur Sriram and going towards



Pilkhi, the police tried to stop the vehicle but on seeing the police vehicle, the driver of the pick-up van and other two persons tried to flee away and succeeded in the same. The spy identified the name of persons, who fled away as Vijay Rai, Pallu @ Ramesh, Dharmendra Sah (petitioner) and Chinki Kumar. Upon search, total 1710 liters of foreign liquor was recovered from the aforesaid pick-up van.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of secret information. Petitioner was not present at the spot and no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner is neither the owner nor the driver of the seized pick up van. Petitioner is having no criminal antecedent. The other co-accused person has already been granted bail by this Court vide order dated 19.02.2025 passed in criminal Misc. No. 3218 of 2025.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, petitioner is neither the owner nor the driver of the seized pick up van and the other co-accused person has already been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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, Muzaffarpur, in connection with Sakra Police Station Case No. 590 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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