

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6494 of 2025

Arising Out of PS. Case No.-502 Year-2024 Thana- GORAUL District- Vaishali

Dharmendra Sahni Son of Gopal Sahni Resident of Village - Rasulpur Fateh,
P.S. - Goraul (Katahara), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Goraul (Kathara) P.S. Case No. 502 of 2024 dated 15.12.2024,
instituted for the offence punishable under Section 30(a) of
Bihar Prohibition & Excise Act, 2022.

3. The allegation is of recovery of 6 litres from the
door of Dhirendra Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the petitioner has been made accused
only on the basis of disclosure made by the apprehended person,
namely, Dhirendra Kumar, who disclosed the name of the
petitioner. It is submitted that nothing has been recovered either



from conscious possession or from house of the petitioner, rather, the said illicit wine has been recovered from the door of Dhirendra Kumar. Lastly, it has been submitted that he has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Goraul (Kathara) P.S. Case No. 502 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-I, Vaishali, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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