

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14493 of 2025**

Arising Out of PS. Case No.-10 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

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Dhanjee Kumar Son of Vishnu Sah Resident of Village- Dinara, Ward No. 06,  
P.S.- Dinara, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

2      07-03-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Durgawati P.S. Case No. 10 of 2025 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise  
(Amendment) Act, 2022.

3. As per prosecution case, the police has recovered  
total 270 liters of illicit country made liquor from the Scorpio.  
The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case.  
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner is not the owner of the alleged Scorpio vehicle bearing Regd. No. UP14BV-7338. The petitioner has also no concern with the alleged recovery of illicit liquor. The petitioner was also not arrested from the Scorpio vehicle. The petitioner is said to be driver of the alleged Scorpio but, had no knowledge of the alleged illicit liquor being kept on the same. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 12.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Durgawati P.S. Case No. 10 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

**(Rudra Prakash Mishra, J)**

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