

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18945 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Dharm Veer Kumar @ Bira, aged about 24 years, Male, son of Harendra Singh @ Madho Singh @ Hare Ram Singh, resident of Village- Bajaruha, P.S.- Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Udwant Nagar PS Case No.20 of 2025 dated 10.01.2025, instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 16 litres country made liquor from the *Khalihaan* of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered either from the conscious possession or from the house of the petitioner. Further submission is that recovery has been made from the *Khalihaan*,



which is an open place and accessible to all. Lastly, it is submitted that the petitioner has one criminal antecedent of similar nature.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on 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 Exclusive Special Excise Judge, Court No. II, Bhojpur at Ara, in Udwant Nagar PS Case No.20 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023, and further (i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that 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, and (iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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

