

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22786 of 2025

Arising Out of PS. Case No.-394 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Dhramendra Patel @ Dharmendra Patel Son of Devchandra Patel Resident of
village -Raghunathpur PS- Majorganj District -sitamarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Majorganj P.S. Case No. 394 of 2024, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 30(a), 30(c), 32, 36 of the Bihar Prohibition and Excise Act and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, 180 liters liquor was recovered from motorcycle and the petitioner was apprehended on spot. It is further alleged that one country made pistol has been recovered from the possession of co-accused Nitesh Kumar.

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. Learned counsel for the petitioner also submits that the petitioner was neither present at the place of occurrence nor he is owner of the motorcycle in question. The petitioner is in custody since 23.11.2024 and has got three criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 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 *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majorganj P.S. Case No. 394 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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