

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23815 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- Excise P.S. District- Madhubani

Dharmendra Kumar Sah S/o Sutu Sah Resident of Village- Brahampura,
Sakri, Police Station- Sakri, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 17-04-2025 Heard Mr. Bhavesh Kumar Sah, learned counsel for

the petitioner and Mr. Choubey Jawahar, learned APP for the

State.

2. The petitioner seeks bail in connection with Sadar
Excise P.S. Case No. 60 of 2025, instituted for the offences
punishable under Sections 30(a) and 34(b) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 418 liters of
cough syrup was recovered from the house of the petitioner and
the petitioner was apprehended on spot.

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 cough syrup. Learned counsel for the petitioner also submits that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 20.02.2025 and has got no criminal antecedent. 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 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 Sadar Excise P.S. Case No. 60 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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