

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27910 of 2025

Arising Out of PS. Case No.-171 Year-2024 Thana- DINARA District- Rohtas

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Dhanji Singh @ Dhanji Kumar Singh, S/o Krishna Yadav @ Krishna Singh,
R/o vill - Sadhavan, P.S.- Dinara (Bhanas), Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dinara (Manas) P.S. Case No. 171 of 2024 registered for the offences punishable under Sections 30 (a) and 62 of the Bihar Prohibition and Excise (Amendment) Act, 2016

3. The police on a tip off trafficking of illicit liquor conducted raid and apprehended one Sunil Kumar @ Sunil Paswan, however, one of the person, who was present, succeeded in fleeing away. In course of search, total 36.200 litres of illicit country made liquor was recovered.

4. Learned Advocate for the petitioner taking this Court through the F.I.R. contended that the F.I.R. has been instituted against two persons and there is no whisper or any suspicion has been raised about the complicity of the petitioner



in the crime. However, later on, during the course of investigation, the spy of the police disclosed that it is the petitioner, who had supplied the illicit liquor and, as such, the police started chasing behind the petitioner, hence the present bail application. It is further contended that the petitioner has neither any concern with the accused person nor with the alleged recovered illicit liquor and only on account of the statement of the spy, the name of the petitioner has been implicated in this case without there being any substance. There are other infirmities in the search and seizure and in fact only on account of one criminal antecedent of identical nature, the name of the petitioner has been implicated in this case.

5. On the other hand, learned APP for the State opposes the bail application and submits that the embargo provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016 clearly bars the present anticipatory bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is neither named in the F.I.R. nor any incriminating material has been recovered from his whereabouts, coupled with the fact that there is no material attracting the rigor provided under Section



76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, 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 learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Dinara (Manas) P.S. Case No. 171 of 2024, subject to the condition as laid down under 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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