

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27497 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- JANTA BAZAR District- Saran

Dharmendra Singh S/o Brijanandan Singh R/o Village- Senduar Sati Toila,
P.S.- Janta Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer of anticipatory bail which was rejected vide order dated 07.02.2025 passed by this Court in Cr. Misc. No. 5570 of 2025. Thereafter, the petitioner moved before the Hon'ble Apex Court which was also disposed of vide order dated 28.02.2025 passed in SLP (Cr) No. 2789 of 2025 with a direction to the petitioner to surrender.

3. The petitioner seeks bail in connection with Janta Bazar P.S. Case No. 245 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

4. As per prosecution case, the police has recovered total 207.36 liters of illicit foreign liquor from the newly



constructed house of the petitioner.

5. 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 rather the recovery has been made from the half constructed house of the petitioner which is accessible to all and one. The petitioner has no concern with the seized liquor. 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 four criminal antecedents and is languishing in judicial custody since 17.03.2025 without any rhymes or reason.

6. Learned counsel for the petitioner again submits that the co-accused persons have already been granted bail by this Court vide orders dated 30.01.2025, 30.01.2025 and 30.01.2025 passed in Cr. Misc. Nos. 87756 of 2024, 88419 of 2024 and 88464 of 2024 respectively.

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

8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case,



the period of custody of the petitioner as also the prayer for bail being based on parity, 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 Janta Bazar P.S. Case No. 245 of 2024, 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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