

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30857 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- GORAU District- Vaishali

Dharmendra Rai @ Dharmendra Kumar S/o- Anantlal Ray Village- Salempur
Dumaria PS- Goraul District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2025 Heard Ms. Bela Singh, learned counsel for the
petitioner and Ms. Sangeeta Sharma, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Goraul P.S. Case No. 94 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 05.03.2025 by the informant, Santosh Kumar.

3. As per the prosecution story, the informant alleged that on secret information that this petitioner along with other accused have kept liquor in their house, it was raided and there is recovery/seizure of altogether 921 litres foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that it is the case of the petitioner that the recovery/seizure is from an abandoned/ruined house where they hardly visit, it is access to



everyone, he do not have criminal antecedent and has respect in the society. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 25,000/- to the District Legal Services Authority, Vaishali for beautification/putting up flower pots in the Civil Court Campus of Vaishali Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that the recovery/seizure is from this petitioner's house which may be a ruined one but role cannot be ignored.

6. Taking into account the submissions of the parties as also that this petitioner has no criminal antecedent and recovery/seizure is not from his conscious possession rather from a basement of ruined house, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs.25,000/- to the District Legal Services Authority, Vaishali for beautification/putting up flower pots in the Civil Court Campus of Vaishali Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Vaishali.

7. Let the petitioner be released on bail in the event of



arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-District & Additional Sessions Judge, Vaishali at Hajipur in connection with Goraul P.S. Case No.94 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. If, however, it is found that the petitioner has criminal antecedent, the order shall become infructuous.

9. A copy of the order be sent to the Principal District and Sessions Judge, Vaishali, for his perusal and needful.

(Rajiv Roy, J)

anand/-

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

