

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38860 of 2025

Arising out of PS. Case No.-101 Year-2025 Thana- Excise P.S. District- Supaul

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Dharmendra Kumar S/o- Sri Sudhir Yadav Village- Lalganj W.No-13, Ps-
Supaul Dist- Supaul Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Supaul
Excise P.S. Case No. 101 of 2025, instituted for the offences
under Sections 30(a) of the Bihar Prohibition and Excise Act.
He has no criminal antecedent.

3. The prosecution case in short is that as per secret
information a Car was intercepted by the raiding party and on
search total 264 liters of beer and 93.750 litres of foreign liquor
was recovered from the said Car. Three persons travelling on the
said vehicle were apprehended, who disclosed their names
including name of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated and he has no concern
with the seized consignment. It has further been submitted that
the petitioner has wrongly been made an accused in this case as



he was neither the owner of the vehicle nor had any concern with the seized materials. It is also submitted by learned counsel for the petitioner that he was driver of the said vehicle. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 02.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and stated that huge quantity of liquor has been recovered from the vehicle which was being driven by the petitioner as such the petitioner should not be released on bail.

6. Considering the aforesaid facts and circumstances and taking into account the fact that the petitioner has clean antecedent and is in custody since 02.04.2025, let the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Civil Court, Supaul/In charge Successor Court in connection with Supaul Excise P.S. Case No. 101 of 2025, Misc. Excise Case No. 529 of 2025, subject to the following conditions:-

(i) One of the bailors will be a
close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same or in the name of verification.

(v) If the petitioner is apprehended in a case of similar offence, the prosecution



shall be at liberty to approach the learned
court below for cancellation of his bail
bonds.

(Sourendra Pandey, J)

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