

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40985 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- Excise P.S. District- Gopalganj

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Dhiraj Kumar Singh @ Dhiraj Kumar @ Dhiraj Singh S/O Ajay Singh @
Ajay Kunwar Resident of village- Dilawarpur, P.S.- Kaleyapur, Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest in connection

with Excise P.S. Case No. 138 of 2025 instituted for the

offences punishable under Sections 30(a), 32 of the Bihar

Prohibition and Excise Act.

3. The prosecution case, in short, is that total

629.820 litres of liquor was recovered from truck.

4. Learned counsel for the petitioner submitted that

the petitioner has falsely been implicated in the present case.

The petitioner was neither apprehended on the place of

occurrence nor anything incriminating has been recovered



from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the alleged truck. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the co-accused. The police arrested the petitioner and got the signature on the plain paper and converted the same in to seizure list. The petitioner has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. He further submits that the co-accused have already been granted bail by this Court vide order dated 01.05.2025 passed in Cr. Misc. No. 28288 of 2025.

5. Learned A.P.P. 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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Fifteen Thousand) with two sureties of the like amount each



to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 138 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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