

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40061 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Dharmendra Yadav, Son of Naglal Yadav @ Nandlal Yadav, Resident of
Village- Patahra, P.S.- Yadopur, District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Ranjan, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Bishambharpur P.S. Case No. 178 of 2024 for the offences
registered under Section 30(a) of the Bihar Prohibition & Excise
Act.

3. There is recovery of 366.8 litre Indian made
foreign liquor from the boat near the Dam of Gandak River.
Petitioner along with other co-accused persons fled away from
the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to his ten criminal antecedents. Petitioner was neither
present on the spot nor he has any concern with the seized liquor



or the boat from where recovery has been made. He has been implicated in this case merely on suspicion and ulterior motives. There is no independent witness of the seizure-list. Petitioner is in custody since 08.04.2025. It is further submitted that similarly situated co-accused, namely, Ravi Shankar Singh has been granted anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 08.05.2025 passed in Cr. Misc. No. 20049 of 2025. Petitioner undertakes to co-operate in the trial.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Excise Court- II, Gopalganj in connection with Bishambharpur P.S. Case No. 178 of 2024 with following conditions:-

- (I) Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J.)

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