

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47243 of 2025

Arising Out of PS. Case No.-79 Year-2018 Thana- KHUSRUPUR District- Patna

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Dharmendra Singh S/O Ram Hriday Singh R/O Village- Jamalpur, P.S-
Gaurichak, Dist.- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Khushrupur P.S. Case No. 79 of 2018, dated 17.04.2018, lodged under Section 30(a), 38 and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022 and Section 420 and 120B of the Indian Penal Code.

3. As per the prosecution, a total of 1,177 litres of illicit liquor has been recovered from a container truck, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner's name has figured in this case solely due to his ownership of the motorcycle, which is alleged to have been used by the rider in connection with the work of a liner for



the container truck in question. He further submits that the petitioner had already sold the said motorcycle in January 2018, whereas the FIR was lodged on 17.04.2018. He also submits that the criminal antecedent of the petitioner is clean, and the only lapse on the petitioner's part was his failure to play an active role in the transfer of the vehicle to the purchaser.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that, from the pleadings, it transpires that the petitioner has sold his motorcycle. He further submits that the antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Court of Excise, Patna City, in connection with Khushrupur P.S. Case No. 79 of 2018, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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