

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46119 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- MALI District- Aurangabad

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Dhananjay Kumar Soni S/o- Shiv Seth Resident of village- Charan Kala, P.S.-
Mali, Dist-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Usha Kumari 1, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
Special Public Prosecutor for the State.

2. The petitioner apprehends arrest in a case registered under Section 30(a) of Bihar Prohibition and Excise Act, Sections 191(a), 190, 127(2), 115(2), 109, 132, 253, 352 of the Bharatiya Nyaya Sanhita and Sections 3(1)(r), (3), 3(2), (v-a) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989.

3. As per the prosecution case, 2.1 illicit liquor was recovered from this petitioner who was apprehended on the spot. It is alleged that local villagers forcibly freed this petitioner from police custody and also assaulted the police personnel and abused the son of *Chowkidar* Sonaphool Devi by his caste name.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely on the disclosure statement made by local *Chawkidar* due to previous enmity. Further submission is that petitioner was not present on the spot and has no concern with the alleged occurrence. Petitioner has not abused anybody by caste name. There is no independent witness on the seizure list. It is also submitted that similarly situated co-accused persons have already been granted anticipatory bail by a Co-ordinate Bench of this Court *vide* order dated 04.08.2025 passed in Cr. Misc. No. 45742 of 2025. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned Spl.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon 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 Court No. 2, Aurangabad in connection with Mali P.S. Case No. 114 of 2025, subject to the



conditions as laid down under Section 482(2) of the B.N.S.S.,
2023.

(Sunil Dutta Mishra, J)

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