

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47634 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- SIRDALA District- Nawada

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Dharmendra Rajbanshi @ Dharmendra Chaudhary S/o Mahesh Chaudhary
R/o vill - Bhattbigha, P.S. - Sirdalla, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 280 litres illicit country made liquor was recovered from the seized motorcycle.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicles in question. No incriminating article has been recovered from conscious possession of this petitioner and has been made an accused in this case merely on the basis of confessional statement of co-accused person. Petitioner has got one criminal antecedent of



similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada in connection with Sirdalla P.S. Case No. 166 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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