

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51731 of 2025

Arising Out of PS. Case No.-368 Year-2025 Thana- GARDANIBAG District- Patna

Dharamveer Ray S/o Jay Shyam Ray R/o Raghapur Mirampur, P.S.-
Raghapur, Distt- Vaishali, At present 1, H, Nahar par, Mithapur, B, Area, P.S.-
Jakkanpur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 05-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gardanibagh P.S. Case No. 368 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 432 liters of illicit beer from the cattle shed.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner. The alleged cattle-shed does not



belong to the petitioner. The petitioner has no concern with the seized liquor. The petitioner was not aware of the contents of the material being kept in the alleged cattle-shed. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.07.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gardanibagh P.S. Case No. 368 of 2025.

(Rudra Prakash Mishra, J)

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