

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54587 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- RAJAON District- Banka

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Dharmendra Ray S/O Bharat Ray R/O Vill.- Rupauli, P.S.- Rupauli, Buzurg,
Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Rajoun (Nawada O.P.) P.S. Case No. 13 of 2025 registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition & Excise Act.

3. As per prosecution case, the police has recovered
total 492.84 liters of illicit foreign liquor from the pick-up
vehicle.

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.
The petitioner was neither apprehended on spot nor anything



incriminating has been recovered from his conscious possession. The name of petitioner has surfaced in this case only because of his being the registered owner of the alleged Bolero Pick-up van bearing Regd. No. BR07G-6995. He further submits that the alleged Bolero Pick-up van is a public carrier's transportation vehicle and the petitioner was not aware regarding the same being used for carrying illicit liquor and, thus, no prima-facie case is made out against the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Kishan Kumar has been granted regular bail by this Court vide order dated 07.03.2025 passed in Cr. Misc. No. 14020 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-



named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajoun (Nawada O.P.) P.S. Case No. 13 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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