

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54602 of 2025

Arising Out of PS. Case No.-387 Year-2019 Thana- BAJPATTI District- Sitamarhi

Dharmendra Sah @ Jamu Sah @ Dharmaderh, S/O Jadu Sah @ Jachu Sah,
R/O village - Hirauli, P.S. - Pupri, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bajpatti P.S. Case No. 387 of 2019 for the offence registered
under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 135.00 litres of
Nepali country made liquor and 12 litres of Nepali beer was
recovered from a Bajaj Maxima Tempo without a number plate.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner was neither present on the spot nor any
incriminating article has been recovered from the conscious
possession of the petitioner. The illicit liquor which was seized
from the tempo, is not belong to the petitioner. Petitioner has no
concern with the seized liquor of tempo. Petitioner is neither



driver nor owner of the seized tempo. Except the confessional statement of co-accused Indrajeet Kumar there is no material against the petitioner. Petitioner has no criminal antecedent. He undertakes to cooperate in the investigation and trial.

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

6. Considering the aforesaid 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 Excise Court - 2, Sitamarhi, in connection with Bajpatti P.S. Case No. 387 of 2019, 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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