

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57022 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- BAUNSI District- Banka

1. Dharmendra Kumar, S/O Shambhu Yadav, Resident Of Village- Gariya, P.S.- Saurbazar, District- Saharsa
2. Pramod Kumar, S/O Roso Yadav, R/O Village- Situaha, P.S.- Salkhuwa, District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash Dwivedi, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 17-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Bounsi P.S. Case No. 213 of 2025 for the offence registered
under Sections 30 (a), 36 and 41(2) of the Bihar Prohibition &
Excise Act.

3. As per the prosecution case, there is recovery of
1341 litres of foreign liquor from the Hywa truck bearing
Registration No. JH13D 0587. Petitioners were apprehended on
the spot being the driver and co-driver of the seized truck.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this



case being the driver and co-driver of the seized truck. They have no knowledge about the seized liquor kept in the vehicle as they were doing their duties on the instruction of the owner of the vehicle. Nothing incriminating material was recovered from the conscious possession of the petitioners. Petitioners have no criminal antecedents. Charge-sheet has already been submitted after completion of investigation and there is no chance of absconding the petitioners and tampering with the prosecution evidence. Petitioners are in custody since 05.07.2025. Petitioners undertakes to co-operate in the trial of the case.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioners.

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties and period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Banka, in connection with Bounsi P.S. Case No. 213 of 2025, subject to the following conditions:-

(1) The petitioners shall appear on each and every date before the Trial Court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his bail bond by the Trial Court itself.

(2) Petitioners shall in no way try to induce or
promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds.

(Sunil Dutta Mishra, J)

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