

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68192 of 2025

Arising Out of PS. Case No.-425 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Dharmendra Ray S/o Khedar Ray R/O Village- Umarpur, P.S.- Bheldi, Dist.-
Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kumari, Adv

For the Opposite Party/s : Mr.Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Chapra Muffasil P.S Case No. 425 of 2025 registered for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, there is a recovery of 70 litre of country made liquor from the tempo bearing Registration No. BR04PA7044 in which petitioner and one other co-accused was apprehended.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next



submits that petitioner has nothing to do with the alleged liquor which was recovered from the back side of the tempo. Moreover, petitioner is driver cum owner of the said *tempu* bearing Registration No. BR04PA7044. The other co-accused namely Raju Rai was passenger and sitting in back seat of the tempo. He further submits that nothing has been recovered from the conscious possession of the petitioner and there is no independent witness to the seizure list. He further submits that petitioner is in custody since 28.07.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 22.08.2025, it appears that nothing has been recovered from the conscious possession of the petitioner and petitioner possessed clean antecedent. Moreover, there is no independent witness to the seizure list. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner 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 learned Special Judge Excise 1st Saran



in connection with Chapra Muffasil P.S. Case No. 425 of 2025.

(Ramesh Chand Malviya, J)

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