

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67568 of 2025

Arising Out of PS. Case No.-396 Year-2025 Thana- DHAKA District- East Champaran

Divyanshu Kumar S/o Rakesh Kumar Resident of village - Lala Tola
Laukhan, P.s.- Ghorasahan, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
	:	Mr. Harsha Shashwat, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP

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

ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 396 of 2025 instituted for the offences punishable
under Sections 317(5) of the Bharatiya Nyaya Sanhita, 2023
and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 289.56
litres of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is in no manner connected with the vehicles in



question or the alleged recovery of liquor. The petitioner is in custody since 20.07.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhaka P.S. Case No. 396 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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