

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75793 of 2025

Arising Out of PS. Case No.-300 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

Dharmendra Kumar Son of Krishna Prasad R/o Ward No. 2, Sirisiya,
Bhairoganj, P.O.- Sirisiya, P.S.- Bhairoganj, District - West Champaran, Bihar,
Pin - 845101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.

Mr. Gaurav Prakash, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Durgawati PS Case No. 300 of 2025 instituted for the
offences under Section/s 30(a) of the Bihar Prohibition and
Excise Act and Sections 317(5), 114, 338, 336(3), 318(4) &
3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that total
1146.81 liters liquor was recovered from two Scorpio cars.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is the driver of the alleged vehicle bearing Regd. No. BR-26W-8999 but, was not aware of the illicit liquor being kept on the same. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is not the owner of the alleged vehicles. The petitioner is in custody since 25.08.2025 and has one criminal antecedent/s. There is no compliance of Section 103 of the B.N.S.S., 2023.

5. Learned counsel for the petitioner again submits that the co-accused namely Chandradev Mehta @ Chandradev Mahto has been granted bail by this Court vide order dated 04.11.2025 passed in Cr. Misc. No. 75663 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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



8. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Durgawati PS Case No. 300 of 2025.

(Rudra Prakash Mishra, J)

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