

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2402 of 2026

Arising Out of PS. Case No.-706 Year-2025 Thana- GARDANIBAG District- Patna

Dheeraj Kumar Son of Butan Prasad R/O Chitkohra Basti, P.S -.Gardanibag,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, A.P.P.

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 2036 of 2025, arising out of Gardanibag P.S. Case
No. 706 of 2025, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 460.515
liters liquor was recovered from vacant land.

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 has got
no concern with the alleged recovery of liquor. Learned counsel
for the petitioner further submitted that the recovery has been



made from open place, which is accessible to public at large. The petitioner is in custody since 14.12.2025 and has got three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik 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 and 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 Special Case No. 2036 of 2025, arising out of Gardanibag P.S. Case No. 706 of 2025.

(Rudra Prakash Mishra, J)

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