

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10788 of 2026

Arising Out of PS. Case No.-539 Year-2025 Thana- PATNA CITY CHOWK District- Patna

Dharamveer Kumar Son of Radhe Prasad Resident of Village- Gangti, P.S.-
Bena, District- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radhe Shyam, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Chowk P.S. Case No. 539 of 2025 registered for the alleged offences under Sections 303(2), 317(2) and 317(5) of Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, during checking of vehicles and raid against trade of illicit liquor, an Auto was stopped and its driver was apprehended. The petitioner was also arrested who was sitting in the Auto. On search of the Auto, recovery of 240 liters of India made foreign liquor was made.

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



case. The petitioner was merely a passenger in the Auto and he has no concern either with the Auto or the liquor seized. There is no material on record to show that the petitioner was engaged in transportation or trade of alleged contraband. The petitioner is having antecedent of one case and he is on bail in that case. The petitioner is in custody since 18.12.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioner and further considering the nature of recovery and the place from where recovery has been made and also considering the period of custody of the petitioner, the petitioner above named is directed to 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 Exclusive Special Court of Excise, Patna City, Patna/court concerned in connection with Chowk P.S. Case No. 539 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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