

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11009 of 2026

Arising Out of PS. Case No.-73 Year-2026 Thana- CHAPRA TOWN District- Saran

Dhanik Kumar Son of Hulash Rai Resident of Village - Purbi Rauja, P.S.-
Chapra Nagar, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the State : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard Mr. Alok Kumar Alok, learned counsel for
the petitioner and Mrs. Veena Kumari Jaiswal, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
24.01.2026, in connection with Chapra Town P.S. Case No. 73
of 2026, F.I.R. dated 23.01.2026 registered for the offences
punishable under Sections 112(2) of the B.N.S. and Section
30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 151.695 litres of *English* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it
appears from the F.I.R. as well as seizure list that nothing has
been recovered from the conscious possession of the petitioner



rather recovery has been made from the joint house property of the petitioner and altogether 151.695 litres of *English* liquor was recovered. He further submits that the petitioner is not the absolute owner of the house in question rather the house in question is the joint house property of the petitioner and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 24.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Saran at Chapra in connection with Chapra Town P.S. Case No. 73 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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