

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32676 of 2026

Arising Out of PS. Case No.-545 Year-2025 Thana- SONEPUR District- Saran

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Dharmendra Kumar S/o Bisheshwar Sahani R/o Ward No. 12, Vill.-
Mansurpur Halaiya, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-05-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Sonepur P.S. Case No. 545/2025, lodged on 04.06.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of about 327 litres of foreign liquor has been made from the pickup van of the petitioner, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that antecedent of the petitioner is clean. He submits that petitioner is the registered owner of the said pick-up van. He submits that nothing has been recovered from the conscious possession of the petitioner. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that petitioner is the owner of the vehicle.

6. Considering the fact that antecedent of the petitioner is clean, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Court of 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Sonapur P.S. Case No. 545/2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the Trial Court 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.

(Dr. Anshuman, J)

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