

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33774 of 2026

Arising Out of PS. Case No.-37 Year-2025 Thana- Pahelja P.S. District- Saran

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Dharmendra Kumar @ Dharmendra Rai S/o Nagina Rai R/o Newal Tola,
Sabalpur, Sonapur, P.O.- Sonapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shabina Talat, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Pahleja P.S. Case No. 37 of 2025 dated 07.04.2025 registered for the offence punishable under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police have recovered total 20.100 liters of illicit English wine from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is next submitted the recovery is made from the Motorcycle which does not belong to the petitioner and petitioner has clean antecedent. It is further submitted that the



petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of confessional statement of the co-accused Satyendra Roy and, except this, there is nothing adverse against him. Counsel for the petitioner fairly submits that the petitioner, without accepting his guilt, is ready to deposit Rs. 5,000/- in the account of the Advocates' Association, Patna High Court. Lastly, it is submitted that the petitioner has three criminal antecedents similar to the present case, out of which he is on bail in two cases, as has been stated in Para-3 of the present anticipatory bail application.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that nothing incriminating has been recovered from the constructive possession of the petitioner or from his house and has no concern with the seized motorcycles, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Judge, Saran at Chapra in connection with Pahleja P.S.



Case No. 37 of 2025, subject to production of the receipt showing deposit of Rs. 5,000/- as proposed on behalf of the petitioner as also the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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