

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36322 of 2026**

Arising Out of PS. Case No.-142 Year-2026 Thana- NADI P.S. District- Patna

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Dharmendra Kumar Son of Suresh Ray Resident of Village- Himmatpur, P.S.-  
Rustampur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ayushi Gupta, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      09-06-2026                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

3. Perusal of the first information report and the seizure  
list would go to show that 340 liters of country made liquor is  
said to have been recovered from different portions of a tempo.

4. It is submitted by learned counsel for the petitioner  
that there is no recovery from the conscious or physical  
possession of the petitioner. The petitioner is neither the owner  
nor the driver of the said tempo. There is violation of  
mandatory provisions of the search and seizure as there is no  
independent witness to the seizure list. Petitioner has no



criminal antecedent and has been languishing in custody since 19.04.2026.

5. Taking into consideration the fact and circumstances of the case and also considering the fact that there is non-compliance of mandatory provisions of search and seizure, the above named petitioner is directed to be enlarged 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 the learned Court below where the case is pending/successor Court in connection with Nadi P.S. Case No. 142 of 2026.

**(Soni Shrivastava, J)**

Trivedi/-

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