

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36021 of 2026

Arising Out of PS. Case No.-274 Year-2025 Thana- TEKARI District- Gaya

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Dharmendra Kumar S/O Late Sarjoo Sharma R/O Mohalla- Nutan Nagar, PS-
Civil Line, Distt-Gaya ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Upon repeated call, none appears on behalf of the
petitioners. However, learned APP for the State is present.

3. The petitioner who apprehends arrest in connection
with Tekari, P.S. Case No. 274/2025 lodged on 12.06.2025, for
the offences punishable under sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution, total recovery of 144.750
Litres of illicit liquor is the subject matter of the present case.
Out of which 66.750 liters illicit foreign liquor has been
recovered from a Maruti vehicle bearing Registration No.
BR01DC-0889 which was standing at the house of co-accused
namely Satyam Kumar @ Lallu and the same was seized.



5. From the pleading, it appears that the petitioner is innocent and has committed no offence. It further appears that nothing has been recovered from the possession of the petitioner but his name has come in this case only on the basis of the vehicle from which alleged recovery was made. It further appear that the petitioner has taken specific plea in para-8 of the petition that he has given his car to his friend in good faith but his friend has misused his car in such criminal act. Moreover, the petitioner has no concern with the alleged recovery and as per statement made in paragraph 3 of the petition, the antecedent of the petitioner is also clean.

6. Learned APP for the State opposes the prayer for bail but submits that antecedent of the petitioner is clean and recovery has been made from a car which belongs to the petitioner. In this regard, specific statement of the petitioner has come that he has given his car to his friend.

7. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Excise



Court No. -2 Gayaji, in connection with Tekari, P.S. Case No.
274/2025, subject to the conditions as laid down under Section
482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/Manshi

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