

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36893 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- Ramdas Rai Ka Dera District- Buxar

Dhanji Kumar S/o Late Vishnu Sah R/o vill - Dinara, P.S.- Dinara, Distt.-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Dhaneshwar Prasad Gupta, learned
counsel for the petitioner and Mr. Anil Kumar, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.04.2026 in connection with Ram Das Rai Ke Dera P.S. Case
No. 16 of 2026, F.I.R. dated 14.04.2026 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 109.92 liters of illicit foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been 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 the recovery of



altogether 109.92 liters of foreign liquor has been made from the vehicle in question and petitioner is not the owner of the said vehicle. He further submits that the petitioner has no concern at all from the recovery of the illicit liquor or the vehicle in question. It appears from the seizure list that seizure list witnesses are the police personnel so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 17.04.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended along with the illicit liquor and apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Special Court No. 2, Buxar in connection with Ram Das Rai Ke Dera P.S. Case No. 16 of 2026 subject to the following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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