

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43439 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- DIDARGANJ District- Patna

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Dharmendra Kumar Son of Ram Eakwal Rai R/O Village- Bandohpur, P.S.-
Didarganj, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sudhir Kumar, Advocate
For the Opposite Party : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Didarganj P.S.
Case No.53 of 2026 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 18 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the recovery of alleged illicit liquor was
made from a motorcycle, bearing Registration No. BR01FV



9098, which was involved in carrying illegal consignment of liquor. It is also submitted that the name of petitioner arrayed solely for the reason that petitioner is the registered owner of the said motorcycle. It is further argued that the said motorcycle of petitioner was given to his brother-in-law, namely, Bimlesh, Kumar, on the date of occurrence. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 Special Judge, Excise, Patna City, in connection with
Didarganj P.S. Case No.53 of 2026, subject to the
conditions as laid down under Section 438(2) of the
CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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