

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46202 of 2026**

Arising Out of PS. Case No.-180 Year-2026 Thana- RASULPUR District- Saran

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1. Dharmbir Bharti @ Dharmveer Bharti S/O Shivji Bharti R/O Vill.- Mohabbatnath Ke Mathiya, P.S.- Rasulpur, Dist.- Saran at Chapra
  2. Tara Devi W/O Dharmbir Bharti @ Dharmveer Bharti R/O Vill.- Mohabbatnath Ke Mathiya, P.S.- Rasulpur, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      13-07-2026                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Rasulpur P.S. Case No. 180 of 2026, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 10.8 liters liquor was recovered from jute bag and petitioner no. 2 was arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. The petitioners are in custody since 10.06.2026. Petitioner no. 1 has got three criminal antecedents and petitioner no. 2 has got one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rasulpur P.S. Case No. 180 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel  
the bail bonds of the petitioners.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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