

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50589 of 2026

Arising Out of PS. Case No.-162 Year-2026 Thana- ATHMALGOLA District- Patna

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Dhiraj Kumar @ Gabbar @ Dhiraj Kumar Singh S/o Ramesh Singh Resident
of Village- Mahuli, P.S.- Athmalgola, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App), APP

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

ORAL ORDER

2 23-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Athmagola P.S. Case
No. 162 of 2026 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 11.5 liters
liquor was recovered from sack.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. It is
submitted that the name of the petitioner has transpired on the



basis of disclosure made by Local Chowkidar. It is further submitted that recovery is made from the open place accessible to one and all. The petitioner is in custody since 05.06.2026 and has got ten criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Athmagola P.S. Case No. 162 of 2026, subject to the following conditions:

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

(II) The petitioner shall appear on each and every date fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.



(IV) Petitioner shall not commit offence of similar nature in future.

(V) Petitioner shall not leave the territorial jurisdiction of the learned Court below without taking prior permission of the Court concerned.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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