

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50175 of 2026

Arising Out of PS. Case No.-247 Year-2026 Thana- RAJAOLI District- Nawada

1. Dharmendra Kumar Sharma @ Dharmendra Kumar S/O Dilip Sharma R/O vill.- Fulwariya, P.s.- Rajauli, Dist.- Nawada.
2. Pankaj Kumar @ Karan Kumar S/O Maho Bhuiya R/O vill.- Fulwariya, P.s.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajauli P.S. Case No. 247 of 2026 dated 08.05.2026 for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation, upon secret information that liquor has been stored near Hardiya Dam for selling it elsewhere, while the informant along with the police party reached there, while two persons managed to flee away. It is further alleged that the petitioners were identified by the local *chowkidar* to be the persons who fled away from the place of



occurrence and altogether 112 liters of country made liquor was recovered.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioners. It has further been submitted that the petitioners have been named by the inimical *chowkidar* and except that there is no material against the petitioners. It has further been submitted that the procedure prescribed under Section 103/105 of the BNSS has not been followed. It has further been submitted that the place of recovery is a public place and is accessible to all. It has lastly been submitted that the petitioners have got no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the learned counsel for the parties and perused the records.

7. Considering the aforesaid facts and circumstances of the case and also the material against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court Exclusive Special Court , Excise-2, Nawada in connection with Rajauli P.S. Case No. 247 of 2026, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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