

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89610 of 2025**

Arising Out of PS. Case No.-352 Year-2025 Thana- BEUR District- Patna

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Dheeraj Kumar son of Basudev Ray Resident of Village- Terasiya, P.S. -  
Ganga Bridge, Dist.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prasoon Shekhar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

3      07-01-2026                      Heard the learned counsel for the petitioner and  
  
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Beur P.S. Case No. 352 of 2025, Spl. Case No. 961 of 2025 registered for the offence(s) punishable under Section(s) 30(a), 30(g), 32, 56(b) and 62 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on the basis of secret information, the police conducted a raid and apprehended two persons, including the petitioner, who was allegedly found running away from a tempo. Upon search, a total of 280 litres of cough syrup was recovered from the said tempo from which the petitioner was allegedly running

away. Subsequently, upon search of godown, another lot of 750 litres of cough syrup was recovered.

4. The learned counsel for the petitioner submits that the petitioner has no concern whatsoever with the recovered cough syrup and that he was apprehended merely because he was a passerby. It is contended that the petitioner is neither the owner of the tempo nor of the godown and has been falsely implicated in the present case merely on account of his presence at the place of occurrence. The learned counsel lastly submits that the petitioner has clean antecedent and he is in custody since 04.07.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 2,500/- with the Advocate Association, Patna High Court.

6. The learned A.P.P. has vehemently opposed the prayer for bail.

7. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 04.07.2025, 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 court below where the case is pending/successor court in connection Beur P.S. Case No. 352 of 2025, Spl. Case No. 961 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be the local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

8. The bail bond of the petitioner shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Advocate Association, Patna High Court.

9. Accordingly, the prayer for bail is allowed.

10. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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