

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3618 of 2025**

Arising Out of PS. Case No.-739 Year-2024 Thana- Excise P.S. District- Bhagalpur

Birju Kumar Son of Sunil Rai Resident of Village- Matihani, P.S.- Matihani,  
Distt.- Begusarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nikhil Kumar Singh, Adv.  
For the Opposite Party/s : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      25-02-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner has preferred this application for grant  
of regular bail in connection with Excise (Sadar) P.S. Case No.  
739 of 2024 dated 27.09.2024 registered for the offences  
punishable u/s 30(a) of the Bihar Prohibition and Excise  
Amendment Act.

3. As per the prosecution case, total 17.625 litres of  
illicit foreign liquor was recovered from the Car.

4. Learned counsel for the petitioner has submitted that  
the petitioner is innocent and has falsely been implicated in this  
case. Nothing has been recovered from the conscious possession  
of the petitioner. The petitioner is the driver of the said vehicle.  
The petitioner has no concern with the alleged recovery. The



petitioner has one criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 28.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur, Bihar in connection with Excise (Sadar) P.S. Case No. 739 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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