

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13140 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BIHTA District- Patna

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Biran Rai @ Virendra Kumar @ Viran Rai Son of Ramashish Rai R/o -
Pathlautiya, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

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

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

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Special
Excise Case No. 83 of 2025 arising out of Bihta PS Case No. 06
of 2025 instituted for the offences under Sections 30(a), 32 and
40 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 800
litres of country made liquor was recovered from seven kiln
(bhatti) and 500 litres of liquor was destroyed at spot.

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 recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 04.01.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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, clean antecedent of the petitioner 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Excise Case No. 83 of 2025 arising out of Bihta PS Case No. 06 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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