

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34244 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- SAHIYARA District- Sitamarhi

Narendra Singh S/o Late Raghunath Singh Resident of Village- Khairwa,
ward no 3, PS- Punaura, Distric- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Learned Counsel for the petitioner and Learned APP
for the State are present.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioner who is in custody in connection with Sahiyara P.S. Case No. 27 of 2025, lodged on 28.02.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 333 litres of illegal Nepali wine has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



also submits that the recovery of alleged Nepali wine has been made from the motorcycle and pick-up Van. Counsel further submits that petitioner was not apprehended either using motorcycle or sitting on Pick-up Van. Counsel further submits that he is resident of the locality and was coming from a nearby village but police had caught them and made accused in this case. Counsel submits that there are seven criminal antecedents of the petitioner but none of the antecedent is of excise act. He submits that he is in custody since 28.02.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Special Exclusive Excise Judge-1, Sitamarhi, in connection with Sahiyara P.S. Case No. 27 of 2025, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023, with further conditions:-

(i) At the time of furnishing the bail bond the Trial Court shall verify that petitioner is not absconding in any of the following cases pending against him:-



(i) Sitamarhi P.S. Case No.528/2013 (ii) Sitamarhi P.S. Case No.375/2016 (iii) Sitamarhi P.S. Case No.574 of 2016 (iv) Punaura P.S. Case No.384 2022 (v) *Punaura P.S. Case No.261/2023* (vi) Riga P.S. Case No.515/2022 and (vii) Sitamarhi P.S. Case No.151/2024.

(Dr. Anshuman, J)

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