

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38640 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Birendra Chaudhary S/O Harikishun Chaudhary R/O Village- Ward no 5,
Adarsh Nagar Ghorasahan, P.S- Ghorasahan, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Ghorasahan P.S. Case No. 95 of 2025 dated 26-03-2025,
instituted under Section 317(5) of the B.N.S. and Sections 30(a)
and 41(1) of the Bihar Prohibition and Excise (Amendment)
Act, 2016.

3. The prosecution case, in brief, is that one Sahul
Kumar was apprehended while trying to run away from the
police on a motorcycle. Upon being caught, he disclosed the
name of the petitioner, stating that the liquor was to be delivered
to him. It is further alleged that total 171 litres of Nepali liquor
were recovered from the motorcycle bearing Registration No.



BR-05-D-6376.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is submitted that the petitioner was not arrested at the spot and has been made an accused merely on the basis of the disclosure made by the apprehended persons. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No-3, East Champaran, Motihari, in Ghorasahan PS Case No. 95 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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