

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64297 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- EXCISE MAHUWA District- Vaishali

Brahamdeo Singh, S/o Late Mushan Singh, R/o Village- Patepur (Ward No. 08), P.S.- Patepur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Suruchi Anand, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Mahua Excise P.S. Case No. 184 of 2025 registered for the alleged offence under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, on the basis of tip off, a raid was conducted at an identified place and the petitioner was apprehended from that place. Further, from the temporary cowshed of the petitioner, total 164.785 liters of India made foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person



or possession of the petitioner. The recovery has been shown from an open place accessible to all. There is complete violation of Section 103 of BNSS with regard to search and seizure. The petitioner is in custody since 24.08.2025 and is having antecedent of one case in which he is on bail.

5. Learned APP for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to 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 learned Special Judge, Exclusive Special Excise Court No.2, Vaishali at Hajipur/court concerned in connection with Mahua Excise P.S. Case No. 184 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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