

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72172 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- BHELDI District- Saran

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Birendra Kumar S/o Mahadev Mahto R/o Village - Mohamadpur, P.S -
Dariyapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bheldi P.S. Case No. 228 of 2025 registered for the offences punishable under Sections 111, 317(5), 318(4), 336(2), 338, 336(3) and 340(2) of the BNS as well as Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., recovery of total 425.32 foreign liquor has been made from a scorio which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. All the allegations alleged against the petitioner is totally false and fabricated and he has got no criminal antecedent. He has no concern with the alleged recovery or with the vehicle from which the alleged liquor has been recovered. Petitioner has taken lift from the driver of the vehicle namely, *Sharwan Kumar* and after seeing the police personnel, the driver has fled away and petitioner was arrested. Petitioner is in custody since 30.08.2025 without any fault from his part.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, 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 1st Exclusive Special Excise Court, Saran at Chapra in connection with Bheldi P.S. Case No. 228 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case



failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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