

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79402 of 2025**

Arising Out of PS. Case No.-329 Year-2025 Thana- EXCISE BAGHA District- West  
Champaran

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Birendra Singh @ Birendra @ Veerendra S/o Girraj Singh R/o Village-  
Mukimpur Shiwara, P.S- Jebar, Dist- Gautambudha Nagar (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv  
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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

ORAL ORDER

2      24-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Bagaha  
Excise P.S. Case No. 329 of 2025, instituted for the offences  
punishable under Sections 30(a), 32 of the Bihar Prohibition and  
Excise Act.

3. The prosecution case, in short, is that 2214 liters of  
foreign liquor was recovered from DCM Truck. Petitioner was  
arrested on 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. Learned counsel for the petitioner submits that petitioner is driver of the seized vehicle and he has no knowledge regarding the nature of goods loaded in the vehicle. The petitioner is in custody since 10.08.2025 and has got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bagaha Excise P.S. Case No. 329 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the  
bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

krishnakant/-

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