

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82447 of 2025**

Arising Out of PS. Case No.-424 Year-2025 Thana- PATAHI District- East Champaran

Birendra Sah @ Virendra Sah Son of Late Ram Ugresh Sah Resident of  
Village - Kodaria, P.S. - Patahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gyan Prakash, Advocate

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

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

ORAL ORDER

2      03-12-2025      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Patahi  
P.S. Case No. 424 of 2025, instituted for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 765 liters  
liquor was recovered from hut and the 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 also submits that the alleged place of recovery does not belong to the petitioner. The alleged recovery has been made from the house of deceased Sikandar Ram. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 26.09.2025 and has got one criminal 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 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 Patahi P.S. Case No. 424 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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