

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31538 of 2026

Arising Out of PS. Case No.-85 Year-2026 Thana- BIRPUR District- Supaul

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Dipak Kumar S/O Sheru Das R/O Vill.- Simrahi bazar, Ward no. 12, P.S.-
Radhopur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Pratibha Srivastava, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Birpur P.S. Case No.85 of 2026 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that as per the case of the prosecution altogether 189 litre of Nepali country made liquor was recovered from an auto.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is driver of the said auto. It has further been submitted that nothing has been recovered from the possession of the petitioner. It has further been submitted that the witnesses of the seizure list are police



personnel and police have not complied Section 105 of the BNSS while making seizure. It has further been submitted that the petitioner is languishing in judicial custody since 24.02.2026.

5. The application for bail is opposed by learned APP for the State. He has further submitted that the petitioner is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned 2nd Exclusive Special Excise court, Supaul in connection with Birpur P.S. Case No.85 of 2026.

(Ashok Kumar Pandey, J)

Durgesh/-
Rohit/-

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