

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52991 of 2026

Arising Out of PS. Case No.-752 Year-2026 Thana- Excise P.S. District- Gaya

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Birendra Kumar @ Virendra Kumar Son of Late Ram Prasad Rai @ Ram Prasad Ray Resident of Village- Bhanpur Varewa, P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

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

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 29-07-2026 Heard learned counsel for the parties.

2. The petitioner seeks bail in connection with a case registered under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that 1328.400 litres of foreign liquor was recovered from the DCM truck.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 04.06.2026. It is further submitted that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with evidence or influencing witnesses. The name of the petitioner has transpired in the present case on the basis of him being the driver. He had no knowledge regarding the nature of goods. It is also submitted



that there is no compliance with Sections 103 and 105 of B.N.S.S. and further that the trial is not likely to conclude in the near future.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the period of custody, and the facts and circumstances of the case, let the petitioner be released on bail on furnishing bail bonds of ₹ 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Gaya Excise P.S. Case No. 752 of 2026.

(Sudhir Singh, ACJ)

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