IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77578 of 2026
CNR No. BRHC011060552026
Arising Out of PS. Case No.-132 Year-2026 Thana- BARHARA District- Bhojpur

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Mirtunjay Kumar Singh S/o Adalat Singh R/o Village - Sirsiya, PS - Barahara, District - Bhojpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Ojaswee Kumari, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Barahara P.S. Case No. 132 of 2026, lodged on 06.06.2026, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, total recovery of 884.4 litres of foreign liquor from the trolley of the tractor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean. Counsel further submits that the alleged liquor has been kept in trailer in open space. He submits that the tractor has been taken by one Shivjee Singh on the pretext of bringing the vegetables from

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Diyara and put the liquor in the tractor openly thinking that if tractor will be apprehended no liability will be upon him but on the owner of the tractor. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that huge quantity of foreign liquor has been recovered but fairly concedes that antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of the case, let the above-named petitioner be released on bail **subject to payment of Rs. 50,000/- before the concerned Excise Court**, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of learned Court of Exclusive Special Excise Court No. 01, Bhojpur at Ara, in connection with Barahara P.S. Case No. 132 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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