

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91651 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- EXCISE PAKRIBARAWAN District-
Nawada

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Birendra Kumar @ Gulli Son of Dashrath Yadav Resident of Village- Telatha
Dhamni, P.S.- Kawakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pakribarawa Excise P.S. Case No. 164 of 2025, instituted for the
offences punishable under Sections 30(a) and 47 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 200 liters
liquor was recovered from two motorcycles 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 petitioner is not the owner of the motorcycle in question. It is further submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 02.11.2025 and has got one criminal antecedent in which he is on bail. 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 Pakribarawa Excise P.S. Case No. 164 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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