

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26678 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- Excise P.S. District- Nawada

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Upendra Prasad Son of Late Sobran Mahto Village- Murhena Tola Kasiyadih
Ward No 11 PS -Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nawada
Excise P.S. Case No. 193 of 2025 instituted for the offences
punishable under Section 30(a), 30(c) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 78 litres
of country-made liquor has been recovered from jute sack near
the bank of a river as also 600 Kg *jawa mahua* was destroyed at
the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner rather the recovery has been made from an open place near the bank of a river. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 25.03.2025 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Excise P.S. Case No. 193 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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