

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76555 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- KASMA District- Aurangabad

Upendra Singh @ Upendra Kumar Singh S/o Late Shatrughan singh @
Satsohan Singh R/o Village- Anjan, P.S.- Madanpur, District- Aurangabad,
Bihar Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 11-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kasma
P.S. Case No. 112/2025, instituted for the offences punishable
under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 2000 liters
spirit was recovered from truck and car.

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. It is submitted
that the name of the petitioner has transpired on the basis of
confessional statement of apprehended co-accused person. It is
further submitted that seized vehicles do not belong to the
petitioner. The petitioner is in custody since 18.09.2025 and has



got seven criminal antecedents 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 Kasma P.S. Case No. 112/2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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