

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88926 of 2025

Arising Out of PS. Case No.-753 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Upendra Kumar Son of Late Munilal Sahani R/O Vill.- Sallepur, P.S.-
Bishambharpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 24-12-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is seeking bail in connection with
Gopalganj Town P.S. Case No.753 of 2025, dated 09.10.2025
registered for the offences under Sections 30(a) of Bihar
Prohibition Excise (Amendment) Act, 2022 and Section 317(5)
of the Bharatiya Nyaya Sanhita.

3. As per the FIR, on the basis of secret information,
the police apprehended the petitioner with a scorio bearing
Registration No. BR01PA3631, and recovered 522 litres of
country-made liquor from it.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in the
present case solely on the basis of secret information. It is
further submitted that no recovery has been made from the



petitioner or from his conscious possession and that the petitioner has no connection with the allegedly recovered liquor. It is also submitted that the petitioner is neither the driver nor the owner of the seized vehicle. The petitioner has been in judicial custody since 09.10.2025. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP for the State vehemently opposed the prayer for bail.

6. Regard being had to the submission made by the parties, and taking into consideration the period of judicial custody, this Court is inclined to grant regular bail to the petitioner.

7. Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge, XIII-cum-Special Judge Excise-I, Gopalganj/ Successor Court, in connection with Gopalganj Town P.S. Case No.753 of 2025.

(Ajit Kumar, J)

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