

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1246 of 2026

Arising Out of PS. Case No.-222 Year-2025 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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Om Prakash Sharma S/O Late Ram Sharan Sharma R/O Village- Barki
Badhouna, Ward No.02, P.S- Chausa, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pooja Prasad, Adv.
For the Opposite Party/s : Mr. Asha Kumari, 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
Udakishungnaj Excise PS Case No. 222 of 2025 instituted for
the offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 105.125 liters of
liquor was recovered from the plastic sac.

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 name of the
petitioner transpired in this case on the disclosure made by the



local persons due to village politics. Learned counsel for the petitioner submits that the recovery has been made from an open place which is accessible to one and all. The petitioner is in custody since 10.11.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Udakishungnaj Excise PS Case No. 222 of 2025.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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