

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7706 of 2026

Arising Out of PS. Case No.-1376 Year-2025 Thana- Excise P.S. District- Aurangabad

Vijendra Prasad Son of Shivdas Prasad Resident of Village- Ghatrain, P.S.-
Madanpur, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

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

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Aurangabad Excise P.S. Case No. 1376 of 2025, instituted for
the offences punishable under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 108
liters of spirit was recovered from the house of petitioner.
Petitioner was arrested on the 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 spirit. Learned counsel



for the petitioner further submitted that the recovery has been made from joint house of the petitioner, where other family members also reside. The petitioner is in custody since 12.12.2025 and has got no criminal antecedent. 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 Aurangabad Excise P.S. Case No. 1376 of 2025.

(Rudra Prakash Mishra, J)

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