

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18085 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- BHELDI District- Saran

Prakash Singh @ Prakash Kumar Singh S/o- Ramsnehi Singh R/o village -
Titara , P.s- Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 25-03-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bheldi P.S. Case No.07/2026, for having allegedly
committed offence under Section 30(a) of the Bihar Prohibition
and Excise Act, 2022.

3. As per the prosecution story, the informant along
with other police personnel was on patrolling duty and on secret
information that the petitioner is selling country made liquor
near a *Babul* tree of village Khardahan, reached the place of
occurrence and on seeing the police, three persons fled away,
however on chase, two persons were arrested and one person
succeeded in fleeing away. The arrested persons disclosed the
name of the petitioner and on search, total 16 litres of country



made liquor was recovered, out of which, 2 litres was recovered from the pocket of the arrested persons and 14 litres from a plastic bag.

4. The learned counsel for the petitioner submits that the petitioner has got no concern with the said seized liquor and the liquor has been seized from an open place accessible to all. The name of the petitioner transpired on the basis of the confession made by the other accused persons who were arrested at the place of occurrence, with whom the petitioner has got no concern and while preparing the seizure list, the procedure contained under Section 103 of the B.N.S.S. was not followed. The petitioner has got one criminal antecedent of the similar nature in which he is on bail.

5. The learned A.P.P. for the State opposes the prayer for bail.

6. Having considered the rival submissions, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing a bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Exclusive Special Court Excise Act-I, Saran at Chapra in connection with Bheldi P.S. Case



No.07/2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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