

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21581 of 2026**

Arising Out of PS. Case No.-81 Year-2026 Thana- Excise P.S. District- Rohtas

Upendra Kumar S/o- Murali Chaudhary Resident of Kesho Market, Bhuiyan  
Tola, Kochadh, Ward no. 14, PS- Barun, Dist-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajani Kant Singh, Advocate  
For the State : Mr.Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      06-04-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Sasaram Excise P.S. Case No. 81 of 2026 registered for the  
offence punishable under Section 30(a) of the Bihar Prohibition  
and Excise Act.

3. As per the prosecution case, there is recovery of  
505.945 litres of illicit liquor.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this  
case. He is in custody since 12.02.2026 having two criminal  
antecedents i.e., Aurangabad Excise P.S. Case No. 120 of 2018  
and Barun P.S. Case No. 204 of 2019.

5. Learned counsel for the petitioner submits that the



petitioner is ready to donate Rs. 25,000/- in some charitable organization without accepting his guilt.

6. Learned APP appearing for the State opposes the prayer for bail of the petitioner.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the petitioner, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. 1, Rohtas at Sasaram /concerned Court below in connection with Sasaram Excise P.S. Case No. 81 of 2026.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- in Ramakrishna Math, Village Jharha (near Matua Pahar), P.O. Gurua, Dist. Gayaji, and produce the receipt of the same before the Court below. The bail bonds of the petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner..

9. As the petitioner, except the present case, claims to have only two criminal antecedents i.e., Aurangabad Excise P.S. Case No. 120 of 2018 and Barun P.S. Case No. 204 of 2019, the



Court below, before accepting the bail bonds of the petitioner is directed to verify the antecedent of the petitioner. If the petitioner is found to be involved in any other case except Aurangabad Excise P.S. Case No. 120 of 20218 and Barun P.S. Case No. 204 of 2019 and the present case then his bail bonds shall not be accepted.

10. As a condition of this order, the petitioner after being released on bail is directed to mark his attendance at Barun Police Station, District-Aurangabad on every Sunday of the month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

11. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

**(Sandeep Kumar, J)**

P. Kumar

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