

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25396 of 2026

Arising Out of PS. Case No.-166 Year-2022 Thana- MADANPUR District- Aurangabad

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Vinod Kumar Gupta @ Binod Prasad Gupta Son of Gopal Prasad Resident Of
Village- Satyendra Nagar, PS- Aurangabad Town, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-04-2026 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Madanpur P.S.Case No.166 of 2022 registered for the offences

punishable under Sections 30(a) of the Bihar Prohibition and

Excise Amendment Act, 2018.

3. As per the allegation made in the FIR, the police

seized total 628.5 ltrs. of illicit liquor from two Auto bearing

Registration No.BR26C 2896 and BR26E 4738.

4. Learned counsel appearing on behalf of the

petitioner submitted that the petitioner is innocent and he has

no concern with the seized liquor. Nothing has been recovered

from the petitioner. Learned counsel further submitted that the

petitioner is the owner of the vehicle but he had no knowledge



that the same was used for illicit liquor. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, considering the fact that nothing has been recovered from the possession of the petitioner, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.01, Aurangabad/concerned court, in connection with Madanpur P.S.Case No.166 of 2022, subject to conditions as laid down under Section 482(2) of BNSS of 2023.

7. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

8. If the petitioner is again found to be involved in any case instituted under Section 30 of the Bihar Prohibition and



Excise Act, the Superintendent of Police must direct the Investigating Officer concerned to take the petitioner into custody in accordance with law.

(Purnendu Singh, J)

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