

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27786 of 2026

Arising Out of PS. Case No.-101 Year-2026 Thana- MUFFASIL District- Aurangabad

Anand Kumar Son of Sanjay Yadav Resident of village - Jhikatiya, P.S.-
Aurangabad Muffasil, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2026 Heard Mr. Aman Vishal, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwary, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.03.2026 in connection with Aurangabad Muffasil P.S. Case
No. 101 of 2026, F.I.R. dated 08.03.2026 for the offences
punishable under Section 30(a) and of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. Recovery is of 100 liters of country made Mahua
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather the recovery of altogether 100 liters of illicit liquor has been made from the open field and petitioner is not the owner of the said open field in question and on the basis of secret information, the name of the petitioner has been transpired in the present occurrence and except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. It appears from the seizure list that the seizure list witnesses are the police personnel, so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 09.03.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two criminal antecedents other than the present one but fairly submits that he is on bail in the pending matters.

6. Considering the aforesaid facts and circumstance, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-cum-Exclusive Special Judge Excise Court No.1, Aurangabad (Bihar) in connection with



Aurangabad Muffasil P.S. Case No. 101 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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