

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29847 of 2026

Arising Out of PS. Case No.-1761 Year-2026 Thana- Excise P.S. District- Patna

Nagendra Prasad @ Nagendra Kumar S/o Jay Dayal Ray @ Jaydayal Ray R/o
Rambagh, P.S. - Maner, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Excise (Patna) P.S. Case No. 1761 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that the police had information that one man is indulged in the business of liquor. On this input, from a semi-constructed house, altogether 200.19 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel also submits that from perusal of the seizure list, it is clear that the recovery has not been made from



the possession of the petitioner, rather the recovery has been made from a semi-constructed house which does not belong to the petitioner. He further submits that the witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 20.03.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-III, Patna in connection with Excise (Patna) P.S. Case No. 1761 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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