

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29472 of 2026**

Arising Out of PS. Case No.-89 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

Dayanand Prasad S/O Late Gaurishankar Prasad R/O Village- Khajuri, P.S-  
Kuchaikote, District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mrs.Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      11-05-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kuchaikote P.S. Case No. 89 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioner was apprehended when a raid was conducted on receipt of information that the petitioner had been storing illicit liquor in front of his house. Recovery of 82 litres of country made liquor kept in a sack in front of the cowshed of the petitioner was made in the raid.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the person or possession of the petitioner. The recovery has been shown from a place in front of the cowshed of the petitioner where some person kept the illicit liquor and the petitioner has been made accused in this case merely on suspicion. The petitioner has no concern with the seized liquor. Further, the mandatory provisions for search and seizure have not been followed. The petitioner is having antecedent of one case of similar nature in which he is on bail. The petitioner is in custody since 20.02.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Gopalganj/concerned Court in connection with Kuchaikote P.S. Case No. 89 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

DKS/-

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