

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31706 of 2026

Arising Out of PS. Case No.-149 Year-2026 Thana- BYPASS District- Patna

Prince Kumar son of Murari Prasad Resident of Goraiya Sthan, Bahari Begampur, Ranipur Milki Chak, Patna City, Ps-bypass, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravi Shankar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail 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 altogether 87.200 liters of illicit country-made liquor was recovered from the bushes near the house of Murari Prasad,

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. Nothing has been recovered from the possession of the petitioner. He also submits that the recovery has been made from an open place which has no evidentiary value in the eye of



law. 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, the petitioner is languishing in judicial custody since 15.04.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of three cases, out of which, two cases are of similar nature.

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 **with the condition that the petitioner shall not indulge himself in similar nature of offences in future.** 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 Special Judge, Excise, Patna City in connection with Bypass P.S. Case No. 149 of 2026.

(Ashok Kumar Pandey, J)

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