

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35951 of 2026

Arising Out of PS. Case No.-161 Year-2026 Thana- Excise P.S. District- Darbhanga

Prince Raj Gupta S/O Ganesh Prasad Gupta Resident of Village- J.P. Chawk,
Bhagwan Das Mohalla, Ward No. 10, Police Station- Nagar, District-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution case, 169.200 litres of
Nepali liquor was recovered from a Pickup vehicle.

4. Learned Counsel for the petitioner submits that
the petitioner is said to be both the owner and driver of the said
vehicle. Further, learned counsel for the petitioner submits that
there is no independent witness to the search and seizure and,
as such, the mandatory provisions have been violated. Further,
a false recovery has been shown from the vehicle. It is



submitted that as a matter of fact, no liquor was recovered from his van and he has been falsely implicated on account of local politics. Petitioner is in custody since 21.04.2026 with no criminal antecedent.

5. Learned APP for the State opposed the grant of bail on the basis of allegation made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that the petitioner has no criminal antecedent and there is no compliance of mandatory provisions of search and seizure, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, First (Excise Act), Darbhanga/concerned Court below in connection with Sadar Excise P.S. Case No. 161 of 2026.

(Soni Shrivastava, J)

Anand/Aryan/-

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