

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38138 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- Hariharnath P.S. District- Saran

Upendra Kumar @ Bela @ Baila S/O Kamal Mahto @ Kamlal Mahto R/O
village - Akbarpur, Near Harihar Nath Mandir, P. S - Hariharnath, District -
Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

2 18-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the F.I.R., the prosecution story is that upon
acting an information that two persons are selling illicit liquor
near Hariharnath chowk, the police officials went there and after
seeing them started fleeing away but was caught and upon
searching the place, 10.180 litres of foreign liquor was
recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he is in
custody since 12.05.2026. He further submits that nothing



incriminating has been recovered from the possession of the petitioner. The petitioner has one criminal antecedent in which he is already been granted bail by this Hon'ble Court.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also taking into account the petitioner has one criminal antecedent in which he has already been granted bail by this Hon'ble Court, the petitioner, above named, is directed to 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 Court of 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Hariharnath P.S. Case No. 76 of 2026, on the following condition :-

(i) That one of the bailor should be family member of the petitioner.

(ii) That the petitioner shall cooperate in the trial and shall be properly represented on each and every date as fixed by the Court below.

(iii) The Court below shall verify the criminal antecedent of the petitioner and if at any stage, it is found that the petitioner has concealed his criminal antecedent, the Court



below shall take steps for cancellation of bail bond of the
petitioner. However, the acceptance of bail-bond shall not be
delayed for purpose of in name of verification.

(Kumar Manish, J)

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