

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40086 of 2026

Arising Out of PS. Case No.-240 Year-2026 Thana- AURANGABAD TOWN District-
Aurangabad

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Ujjawal Kumar Mishra @ Ujjwal Kumar Mishra S/o Satyendra Mishra @
Sant Kumar Mishra Resident of Village - Puraina, P.S. - Vijayipur, District -
Gopalganj. At present Mohalla - Ratauna, House of Kapildeo Singh, P.S. -
Muffasil, Dist. - Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Devesh Kumar Singh, learned counsel

for the petitioner and Ms. Sucheta Yadav, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.04.2026 in connection with Town P.S. Case No. 240 of 2026,
F.I.R. dated 13.04.2026 for the offences punishable under
Sections 30(a), 33 and 34 of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. Recovery is of 163.5 liters of illicit country made
Tanka liquor.

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



present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery of altogether 163.5 liters of illicit liquor has been made from the vehicle in question and petitioner has been made accused merely on the ground that he is owner of the said vehicle in question and apart from that the petitioner has been arrested from the place of occurrence. He further submits that the petitioner has no concern at all from the recovery of the illicit liquor. The petitioner is in custody since 14.04.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was found to be in a drunken state at the place of occurrence and apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 District & Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. I, Aurangabad in connection with Town P.S. Case No.



240 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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