

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40206 of 2026

Arising Out of PS. Case No.-394 Year-2026 Thana- ALAMGANJ District- Patna

Uday Prasad @ Uday Kumar S/O Krishna Prasad R/O Village- Beldar Toli,
Gud Ki Mandi, P.S.- Alamganj, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Aryan Singh, Advocate

For the Opposite Party/ : Mr.Mritunjay Kumar Nirala, App

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Alamganj P.S. Case No.394 of 2026 registered under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 5 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged liquor was made from the hut (near Pitambara Temple). It is submitted that



the name of the petitioner surfaced out of disclosure made by one of the accused, namely, Jagat Kumar Patel. It is also submitted that there was no independent seizure list witnesses. Compliance of Section 103(4) of BNSS also not appears followed. It is submitted that the recovery of illicit liquor was not made from conscious possession of the petitioner. Explaining criminal antecedent, the petitioner found involved in one more criminal case.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 Court of Excise, Patna City, in connection with Alamganj P.S. Case No.394 of 2026,



subject to the conditions as laid down under Section 438(2)
of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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