

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49878 of 2026

Arising Out of PS. Case No.-402 Year-2026 Thana- AURANGABAD TOWN District-
Aurangabad

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Amit Kumar Singh Son of Chaneswar Pratap Singh @ Chaneswar Pratap
Singh Resident of Village- Temura, P.S.- Pauthu, District- Aurangabad (Bihar)
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Aurangabad Town P.S. Case No. 402 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The prosecution case, in brief, is that acting on a secret information, the police conducted a raid at *Amit Rest House*, allegedly owned and managed by the petitioner, Amit Kumar Singh. During the search, 4 cans of *Kingfisher Extra Strong Beer* (500 ml each), totaling 2 litres, were allegedly recovered from the store room of the restaurant. It is alleged that the petitioner was serving and selling liquor to customers at the restaurant. The recovered beer was seized, the petitioner was arrested.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from conscious possession of the petitioner. He has further submitted that he is the owner of the said guest house, but he had no knowledge of the alleged offence. He has also submitted that the provisions of Section 103 of the BNSS has not been complied with. He has next submitted that the petitioner has been in judicial custody since 21.06.2026. He undertakes to cooperate with the investigation and trial as also, not to repeat the offence of similar nature.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and states that the petitioner has one more case although not with similar allegation.

6. Taking into account the entire facts and circumstances of the case, coupled with the fact that a very minimal quantity of Kingfisher Extra Strong Beer has been recovered from the guest house of which the petitioner is the owner, let the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. 1, Aurangabad/concerned court in connection with Aurangabad



Town P.S. Case No. 402 of 2026, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial.
- (ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.
- (iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.
- (iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned in para-3 of the bail petition, his bail bond will not be accepted.
- (v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.
- (vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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