IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79850 of 2026

CNR No. BRHC011117582026

Arising Out of PS. Case No.-308 Year-2020 Thana- SHRIKRISHNAPURI District- Patna

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Upendra Ray @ Upendra Kumar Son of Suresh Roy @ Bhageran Roy Resident of Village - Bisunpur, Ward No. - P.S. - Danapur, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Chhote Lal Mishra, Adv.
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sri Krishnapuri P.S. Case No. 308 of 2020, registered for the offence punishable under Section 414/34 IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Allegation is of recovery of 15.825 litres of liquor from different places as detailed in the FIR including 2.252 litres of liquor from tea stall of petitioner and a motorcycle was seized

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He has falsely been implicated in the present case and the petitioner has no criminal antecedent. Learned counsel for the petitioner

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further submits that petitioner's name has come up in the FIR simply because he happens to be the owner of the '*Gumti*' from where the liquor was allegedly recovered and no recovery was made from the conscious physical possession of the petitioner.

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

6. The petitioner's name has come up in the FIR simply because he happens to be the owner of the 'Gumti' from where the liquor was allegedly recovered. No recovery was made from the conscious physical possession of the petitioner. The petitioner bears clean antecedent.

7. Under these circumstance this Court is inclined to grant privilege of anticipatory bail to the petitioner.

8. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, 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 Special Judge, Excise-I, Patna in connection with Sri Krishnapuri P.S. Case No. 308 of 2020, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

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(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Prakash Narayan

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