

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4775 of 2026

Arising Out of PS. Case No.-787 Year-2025 Thana- Excise P.S. District- Nawada

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Omkar Kumar Son of Mahendra Yadav Resident of Village- Losinghana, P.S.-
Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Nidhi Anand, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Excise Nawada P.S. Case No. 787/2025 instituted for the
offences under Sections 30(a) and 47 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 100
litres of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Nothing has been recovered from the conscious possession of
the petitioner. Learned counsel further submitted that petitioner
is not the owner of the vehicle. The petitioner has got no



concern with the alleged recovery of liquor. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioner. The petitioner has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Nawada P.S. Case No. 787/2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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