

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51585 of 2024**

Arising Out of PS. Case No.-853 Year-2023 Thana- DARBHANGA SADAR District-  
Darbhanga

=====

Manish Kumar Son of Vishnu Yadav Resident of Nehalpur, P.S.- Sadar  
(Mabbi O.P.), Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

**ORAL ORDER**

2      20-07-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Sadar (Mobbi OP) P.S. Case No.853 of 2023 registered for the  
offence under Section 30(a) of the Bihar Prohibition and Excise  
Act.

3.              As per FIR, there is recovery of total 135  
litre of illicit liquor from a poultry farm.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been  
implicated in the present case, where, petitioner was not arrested  
at the spot and his name surfaced from the statement of local  
Chaukidar. It is submitted that recovery of alleged illicit liquor



was not made from conscious physical possession of the petitioner and he has no concern with the alleged recovery of illicit liquor. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels and he is in custody since since 02.07.2024. Similarly situated co-accused has been granted bail by this Court passed in Cr. Misc. No.21309 of 2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, in connection with Sadar (Mabbi OP) P.S. Case No.853 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise 1<sup>st</sup>, Darbhanga.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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