

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22682 of 2025

Arising Out of PS. Case No.-1274 Year-2024 Thana- NAWADA District- Nawada

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Jitendra Manjhi Son of Kamo Manjhi Resident of Village- Lutan Bigha, P.S.-
Nawada (Nagar/Town), District- Nawada. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Nawada (Town) P.S.
Case No. 1274 of 2024, registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016/Amendment Act, 2022.

3. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 15 litres of IMFL/country made liquor from the place of
occurrence.

4. It is submitted by learned counsel that alleged illicit
liquor appears to be recovered from an open place i.e. the bush
developed in *Angan* of petitioner. It is submitted that the place of



recovery appears accessible by general public and, therefore, recovery cannot be said to be made from physical possession of this petitioner. Petitioner said to be a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court -1, Nawada/concerned Court, where the case is pending in connection with Nawada (Town) P.S. Case No. 1274 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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