

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22711 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Manish Kumar Mishra @ Manish Mishra S/O Arvind Mishra Resident of
Village- Mukundpur, P.S- Mukundpur, Distt.- Kushinagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms.Swarnima, Advocate Mr. Saurabh Kumar, Advocate Mr. Shashwat Sahil Singh, Advocate
For the Opposite Party/s :	Mr.Asha Devi

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 apprehending his arrest in
connection with Kuchaikote P.S. Case No. 22 of 2025, registered
for the offences punishable under Sections 41(1), 30(a) of the
Bihar Prohibition and Excise 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 1790.64 litres of IMFL/country made liquor from the
truck.

4. It is submitted by learned counsel that petitioner
implicated with present case only being the owner of the truck
bearing registration no. UP52AT0616. It is submitted that



recovery admittedly not appears to be made from physical possession of this petitioner, who is 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 physical possession of this petitioner, where implication appears only being the owner of the truck carrying consignment of illicit liquor, who is a man of clean antecedent, accordingly, above named petitioner, in the event of her 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 A.D.J.-IV cum Exclusive Special Judge Excise Court No. II, Gopalganj/concerned Court, where the case is pending in connection with Kuchaikote P.S. Case No. 22 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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