

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43494 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- MADHEPURA District- Madhepura

Manish Kumar S/O Sri Ganesh Prasad Yadav R/o of Permanent village-
Madhepura ward no. 21, P.S. and District- Madhepura. Presently R/O G-549,
Phase- 6, Aaya Nagar, South Delhi- 110047

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-08-2025 Heard the parties

2.The petitioner is not named in the F.I.R.
and apprehending his arrest in connection with
Madhepura P.S. Case No. 90 of 2025 registered for
the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is
to be engaged in illegal trading/manufacturing of
illicit liquor, where, there is recovery of 4335.48
litres of IMFL/country made liquor

4. It is submitted by learned counsel
appearing on behalf of the petitioner that the
name of petitioner transpired during the course of



investigation on the basis of one of the witnesses namely Kundan Kumar, who alleged this petitioner as one of the associate of one of the named co-accused Rajkamal Ravi. It is submitted that the alleged illicit liquor was recovered from the godown of the co-accused Rajkamal Ravi, who has already granted anticipatory bail by this Court through Cr. Misc. No. 21714 of 2025 vide order dated 02.05.2025. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail

6. In view of aforesaid factual submissions and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of the petitioner rather it was recovered from the godown of co-accused as submitted aforesaid, where petitioner is a man of clean antecedent, accordingly above-named petitioner, in the event of his arrest or surrender before the court below within a period of



four weeks, 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 Addl. District and Sessions Judge V cum Special Judge (Excise-1), Madhepura /concerned Court, where the case is pending in connection with Madhepura P.S. Case No. 90 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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