

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1529 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- Fakuli District- Muzaffarpur

Manoj Kumar S/o Late Lagan Ray R/o vill - Kataru Fatehpur, P.s.- Belsar,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Fakuli PS
Case No. 90 of 2025 instituted for the offences under Sections
30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act and
Section 3(5) of the B.N.S.

3. The prosecution case, in short, is that 846 liters of foreign
liquor was recovered from truck and the petitioner was arrested on
the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel
for the petitioner submits that the petitioner is neither the owner



nor the driver of the vehicle in question and he was passerby of the way and has been implicated in this case by the police with ulterior motive. The petitioner is in custody since 07.12.2025 and has got one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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 and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with //, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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