

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9640 of 2026

Arising Out of PS. Case No.-1375 Year-2025 Thana- Excise P.S. District- Purnia

Manoj Yadav, S/o Late Shukdev Yadav @ Shukdev Prasad Yadav, R/o Village
- Khairuganj, Ward No. 31, P.S. - Sadar, District - Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner is named in the F.I.R. and apprehending his arrest in connection with Purnea Excise P.S. Case No.1375 of 2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is to have in possession of 20.250 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of illicit liquor was not made from conscious physical possession of this



petitioner. It is submitted that alleged recovery of illicit liquor was made from back side of the petitioner's house, which is an open place and accessible to general public and moreover petitioner is not the owner of said land. It is submitted that seizure list was not supported by independent witnesses rather same was supported by police personnel. The petitioner claimed clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.2, Purnea/concerned court in connection with Purnea Excise P.S. Case No.1375 of 2025, subject to the



conditions as laid down under Section 438(2) of the
Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha
Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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