

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10832 of 2026**

Arising Out of PS. Case No.-153 Year-2022 Thana- KUTUMBA District- Aurangabad

Ashutosh Kumar @ Mantu S/o Sanjay Kumar Singh @ Prabhu Singh R/o  
Village- Balia, PS- Amba, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      13-02-2026      Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Kutumba P.S. Case No. 153 of 2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 225 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner was not apprehended on spot, it can be safely said that no illicit liquor as alleged was recovered from the conscious physical possession of this petitioner. It is submitted that petitioner found involved in one



more criminal case where he is on bail. It is also pointed out that seizure list appears disputed being supported by police personal and not by independent witnesses.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as as recovery prima-facie of illicit liquor has not been made from the conscious physical possession of the petitioner, 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 Spl. Judge, Excise Court No. 1, Aurangabad /concerned Court, where the case is pending in connection with Kutumba P.S. Case No. 153 of 2022, subject to the conditions as laid down under Section 482(2) of BNSS.

**(Chandra Shekhar Jha, J)**

Sudha/-

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