

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19061 of 2026

Arising Out of PS. Case No.-92 Year-2026 Thana- BAIRIYA District- West Champaran

Abhimanyu Kumar @ Manu @ Munaa Kumar S/o- Late Harendra Prasad @
Harindra Prasad @ Hrendr Prasad Vill- Dhumariya Ps- Bairiya Dist- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-03-2026 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bairiya P.S. Case No. 92 of 2026 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 69.120 litres of English Wine.

4. It is submitted by learned counsel appearing on behalf of the petitioner that alleged recovery of illicit liquor was made from an open place accessible by general public, therefore, it can be safely said that recovery of illicit liquor was not made from the conscious physical possession of this petitioner, who was not apprehended on spot and his name was disclosed by apprehended co-accused person namely, Abhimanyu Kumar only.



While concluding arguments, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP, opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of alleged illicit liquor prima-facie not appears to be made from the conscious physical possession of the petitioner, accordingly petitioner above-named, 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 1st Bettiah, West Champaran /concerned Court, where the case is pending in connection with Bairiya P.S. Case No. 92 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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