

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17640 of 2026

Arising Out of PS. Case No.-296 Year-2025 Thana- DERNI BAZAR District- Saran

Munna Kumar S/o- Shambu Ray R/o village - Jaminpur , P.s- Derni, District- Saran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the seizure list, would go to show that 100 liters of country made liquor is said to have been recovered from a plastic bag thrown away allegedly by the petitioner on roadside.

4. Learned counsel for the petitioner submits that there is no recovery from physical and conscious possession of the petitioner. It is submitted that the place of recovery is an open place, easily accessible to anyone. The name of the petitioner has surfaced in the present case on disclosure made by local Chowkidar. Further mandatory provisions of search and seizure have been violated as there is no independent witness to the



seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has two criminal antecedents of similar nature of the offence, to which, learned counsel for the petitioner submits that the petitioner is on bail in all the cases.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Derni P.S. Case No. 296 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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