

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26799 of 2026

Arising Out of PS. Case No.-79 Year-2026 Thana- MOTIPUR District- Muzaffarpur

Jagarnath Ray S/o Sukhdev Ray R/o Village - Pachrukhi Mahammadpur
Balmi, P.S - Motipur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-06-2026 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Motipur P.S. Case No. 79 of 2026 registered for the offences punishable under Section 30(a), 41(1) of Excise Act, 2022.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 1013.250 litres of IMFL/country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that recovery of alleged illicit liquor was made from an open field like Bamboo grove, behind the house of the Amar Kumar, which is accessible by general public, where nothing recovered from the conscious physical



possession of this petitioner. Petitioner found involved in three more criminal cases where he is on bail.

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 Exclusive Spl. Judge Excise II, Muzaffarpur /concerned Court, where the case is pending in connection with Motipur P.S. Case No. 79 of 2026 , subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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