

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27634 of 2026

Arising Out of PS. Case No.-147 Year-2026 Thana- Excise P.S. District- Nawada

Lukendra Kumar @ Lokendra Manjhi S/o- Late Jagdeo Manjhi Village-
Sarkanda PS-Govindpur, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No.147 of 2026, F.I.R dated 08.02.2026 registered for the offences punishable under Sections 30(a) and 44 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on 08.02.2026 at about 11:10 A.M., the informant, an ASI Excise, received secret information and intercepted a Toto coming from Sarkanda Road. The driver, Prince Kumar, was apprehended and upon search, 90 liters of illegal chulai wine was recovered. During interrogation, the apprehended person disclosed that the seized liquor belonged to the petitioner, Lukendra Kumar, following which a



seizure list was prepared.

4. Learned counsel for the petitioner submits that the place of recovery is from a Toto and the petitioner is neither the owner nor the driver of the seized vehicle. The name of the petitioner has transpired on the basis of confessional statement of co-accused Prince Kumar. The search and seizure is said to have been made without adhering to the procedures / provisions prescribed under the B.N.S.S. Act. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



learned Exclusive Special Court, Excise-2, Nawada, in connection with Excise P.S. Case No.147 of 2026 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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