

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28322 of 2026

Arising Out of PS. Case No.-235 Year-2026 Thana- ALAMGANJ District- Patna

Manish Kumar Yadav @ Manish Gop Son of Late Jagdish Yadav @ Jagdish
Gop R/o - Pathari Ghat, Old Devi Asthan, P.S.- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Alamganj P.S. Case No. 235 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. The case of the prosecution, in short, is that from a semi-constructed house of the petitioner, altogether 62 liters of illicit country-made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. He also submits that nothing has been recovered from the possession of the petitioner; rather, the recovery has been made from a semi-constructed house, which is an open place. He further submits that the witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioner is languishing in judicial custody since 13.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of seventeen cases out of which eight cases are of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the condition that the petitioner shall cooperate in trial, shall remain physically present on each and every date fixed by the learned court below, one of the bailor shall be his near relative and shall also not indulge himself in similar nature of the offences in future.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special



Court of Excise, Patna City, Patna in connection with Alamganj
P.S. Case No. 235 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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