

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28445 of 2026

Arising Out of PS. Case No.-107 Year-2026 Thana- PATLIPUTRA District- Patna

Munchun Rai S/o Late Ramdev Rai, Resident of Mainpura Sati Asthan, PS-
Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate.

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-05-2026

1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Patliputra P.S. Case No.107 of 2026 instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 70 liters of illicit liquor which was kept in bag (*bora*) beside the road. It is alleged that apprehended co-accused had disclosed that the said liquor belong to co-accused Manish Sao and petitioner and all three of them were engaged in the sale and purchase of liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case only on the basis of disclosure statement made by the co-accused. He further submits that the petitioner has no connection with the other co-accused persons of this case and with the ulterior motive, the name of petitioner has been implicated in this case. Learned



counsel submits that except the disclosure statement of the co-accused, there is no material against the petitioner and no incriminating article has been recovered from his conscious possession. He further submits that petitioner has one criminal antecedent but the same does not belongs to Excise Act and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise I, Patna/ concerned Court in connection with Patliputra P.S. Case No.107 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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