

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31473 of 2026

Arising Out of PS. Case No.-110 Year-2026 Thana- GHORASAHAN District- East
Champaran

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Manjay Prasad S/o Ramanand Prasad @ Ramanand Ray Resident of village
- Jagiraha Kothi, Ward No. 11, P.S - Ghorasahan, District - East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Ghorasahan P.S. Case No. 110 of 2026 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engage in illegal trading/manufacturing of illicit liquor, where, there is recovery of 15.60 litres of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from behind the shop, which is an open place and easily accessible by general public and, therefore, it can be said safely that recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner. It is submitted that name of



petitioner transpired in this case on the basis of disclosure as made by apprehended co-accused person namely Prince Kumar. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, opposes the prayer for bail.

6. In view of the facts and circumstances as mentioned above as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3, I/C Civil Court, East Champaran, Motihari/concerned trial court where the case is pending in connection with Ghorasahan P.S. Case No. 110 of 2026 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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