

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36345 of 2026

Arising Out of PS. Case No.-54 Year-2026 Thana- MANJHAUL District- Begusarai

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Keshav Bharti @ Chanchal Kumar S/o Diwakar Kumar @ Mangal Singh R/o
Village - Manjhaul - 1, Chaudhiya Tola, Ward No. 3, P.S - Manjhaul, District
– Begusarai. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 09-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Perusal of the first information report and the seizure
list would go to show that 121.53 liters of foreign liquor is said
to have been recovered from a bag kept in the courtyard of the
petitioner.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious or physical
possession of the petitioner. The house of the petitioner is
inhabited by his several family members and he had no
knowledge of keeping of the said liquor in the courtyard. As a
matter of fact, the place of recovery is an open place and easily
accessible to anyone, hence no liability can be fixed on the
petitioner. There is violation of the mandatory provisions of the



search and seizure as there is no independent witness to the seizure list. Petitioner has been languishing in custody since 14.04.2026.

5. Learned APP for the State opposes the bail petition on the ground that the petitioner has one criminal antecedent of similar nature of the offence. In response, it is submitted on behalf of the petitioner that he is on bail in the said case.

6. Taking into consideration the fact and circumstances of the case and also considering the fact that there is violation of mandatory provisions of search and seizure, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Manjhaul P.S. Case No. 54 of 2026, subject to the further condition that:

- (i) The petitioner shall cooperate in the investigation/trial.
- (ii) The one of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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