

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40092 of 2026

Arising Out of PS. Case No.-499 Year-2025 Thana- MUFFASIL District- West Champaran

Mohan Manjhi Son of Rudal Manjhi @ Late Rudal Manjhi Resident of
Village - Ward 34, Purani Ganaul (Gonouli), Police Station - Bettiah Muffasil,
District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra,Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR

and apprehending his arrest in connection with Bettiah

Muffasil P.S. Case No.499 of 2025 registered under Section

30(a) of the Bihar Prohibition and Excise Act, 2022

(Amendment).

3. Allegation against the petitioner is to engage

in illegal trade/manufacturing of illicit liquor, where there is

recovery of 8 liters of IMFL/country-made liquor from

tanker.

4. It is submitted by the learned counsel that



recovery was made from the House of the petitioner, which is occupied by different adult family members of the family and therefore, It is submitted that admittedly the recovery of illicit liquor was not made from conscious physical possession of the petitioner. Explaining criminal antecedent, it is submitted that the petitioner found involved in one more criminal case but of different nature, where he is on bail. It is pointed out that compliance of mandatory provisions of search *qua* premises was also not followed in the present case in view of Section 103(4) of the B.N.S.S. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 of Special Judge (Excise), 1st, Bettiah, West Champaran ,in connection with Bettiah Muffasil P.S. Case No.499 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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