

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42899 of 2026

Arising Out of PS. Case No.-49 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Manoj Purve @ Manoj Purve S/o Shree Dashrath Purve R/o Village - Chak
Mahsi, P.O - Chak Mahsi, P.S - Kalyanpur, District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP. for the State.

2. In the present case, the petitioner seeks bail in connection with Excise P.S. Case No. 49 of 2020, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, during checking of vehicles, one auto driver started fleeing away on seeing the checking parties who was apprehended and from search of the auto, recovery of 355.500 litres of country made liquor was made. Petitioner is stated to be the owner of the vehicle.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Learned counsel further submits that nothing incriminating has been recovered from person or possession of the petitioner. It is apparent from the FIR that it was the driver who has been transporting the illicit liquor but tried to run away on seeing the raiding party. The petitioner has given the vehicle to the coaccused driver Noor Alam on fixed monthly rental to ply and petitioner has no knowledge or reason to believe that his vehicle was being used for transportation of illicit liquor. The petitioner surrendered before the Court on 05.05.2025.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner surrendered after process under Section 82 and 83 of the CrPC were resorted to.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from him and further considering his clean antecedent and period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge-



I(Excise Act), Darbhanga/concerned court, in connection with Excise P.S. Case No. 49 of 2020, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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