

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41189 of 2026**

Arising Out of PS. Case No.-148 Year-2026 Thana- KUSHESHWARASTHAN District-  
Darbhanga

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1. Ravi Manjhi @ Rabi Manjhi @ Rabi Kumar Manjhi, S/o Ram Sagar Manjhi,
  2. Anuradha Devi, W/o Late Ranjit Manjhi,  
Both are Resident of Village- Maintha, P.S -Kusheshwar Asthan, District  
-Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Nawal Kishor Prasad, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      25-06-2026                      Heard learned counsel for the petitioners and  
  
learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR  
  
and apprehending their arrest in connection with Kusheshwar  
  
Asthan P.S. Case No.148 of 2026 registered under Section  
  
30(a) of the Bihar Prohibition and Excise (Amendment) Act,  
  
2022.

3. Allegation against the petitioners are to engage  
  
in illegal trade/manufacturing of illicit liquor, where there is  
  
recovery of 2656.8 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for



the petitioners that the alleged recovery was effected from three distinct locations, namely, a hut of Chandrakala Devi, a bike and an open field. The field being, an open place accessible to the general public, cannot be said to be in the exclusive possession or control of these petitioners. It is further submitted that compliance of Section 103(4) of BNSS *qua* search of premises has not been followed with, inasmuch, as no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. It is submitted that nothing has been recovered from the conscious possession of the petitioners. It is further submitted that the petitioners have been implicated solely on the basis of the disclosure made by co-accused namely, Arjun Rai and Chandrakala Devi who have been apprehended on the spot. The petitioner no.1 has clean antecedent whereas the petitioner no.2 bears two criminal 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 physical possession of this petitioners, accordingly, the petitioners above-named, in the event of their 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 Exclusive Special Judge-II, (Excise Act), Darbhanga in connection with Kusheshwar Asthan P.S. Case No.148 of 2026, 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.)**

Raushan/-

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