

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43408 of 2026

Arising Out of PS. Case No.-360 Year-2026 Thana- MANER District- Patna

Sanjeev Kumar @ Sanjeev Kumar Chaudhary S/o Late Bhola Chaudhary
Resident of village - Basti Road, Sarai, P.S.- Maner, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Maner P.S. Case No.360 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 20 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the recovery of alleged illicit liquor was made from the house of co-accused, namely, Banty. It is



also submitted that name of this petitioner arrayed solely on the disclosure made by the local villager. It is further argued that petitioner is in no way connected with the said liquor and also the place from where the alleged liquor was seized. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further argued that the requirement of Section 103(4) of the BNSS has not been complied with, inasmuch as no independent witness was associated with the search and seizure list and the seizure witnesses were police personnel themselves. 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 note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, who is a man of clean antecedent, 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 Excise Judge, Danapur, in connection with Maner P.S. Case No.360 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.)

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