

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42175 of 2026

Arising Out of PS. Case No.-57 Year-2026 Thana- MANJHI District- Saran

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Brijesh Sahani @ Brijesh Kumar Sahani @ Brijesh kumar S/o Prabhunath
Sahani R/o Village - Phulwariya (Chhotki), P.S. - Manjhi, District - Saran at
Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate
For the Opposite Party : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2026 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 Manjhi P.S. Case

No.57 of 2026 registered under Section 30(a) of Bihar

Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 138.66 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the name of petitioner arrayed due to

disclosure made by *mahal chowkidar*. It is also submitted



that recovery of illicit liquor was made near a river bank which is an open place accessible by general public. It is further argued that petitioner was not present at the spot when alleged liquor was seized. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Manjhi P.S. Case No.57 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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