

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45264 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- KATHAIYA District- Muzaffarpur

Manish Kumar Son of Manoj Singh Resident of Village - Parsauni, P.S.-
Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard the parties

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Kathaiya P.S. Case No. 91 of 2026 registered for the offences punishable under Section 30(a), 41(1), 41(2) of Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 955.44 litres of IMFL/country made liquor

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor is made from the brick tank situated besides the maize field and



poultry farm, which is accessible by general public, where nothing recovered from the conscious physical possession of the petitioner. It is submitted that petitioner found involved in six more criminal cases where he is on bail

5 Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, 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 Spl. Excise court II, Muzaffarpur /concerned Court, where the case is pending in connection with Kathaiya P.S. Case No. 91 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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