

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41831 of 2026**

Arising Out of PS. Case No.-1639 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

1. Manoj Kumar Singh @ Manoj Singh S/o Devendra Singh R/o Village - Shekhpur Dhab, P.S - Ahiyapur, District - Muzaffarpur
2. Aniket Kumar Singh @ Aniket Singh S/o Manoj Singh R/o Village - Shekhpur Dhab, P.S - Ahiyapur, District - Muzaffarpur
3. Rekha Devi W/o Manoj Singh R/o Village - Shekhpur Dhab, P.S - Ahiyapur, District - Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Chandra Shekhar Anand, Advocate  
For the Opposite Party : Mr.Md. Shakir Ahmad, APP

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

2      30-06-2026                      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 Ahiyapur  
  
P.S. Case No.1639 of 2025 registered under Section 30(a)  
  
of Bihar Prohibition and Excise Act, 2022 (Amended).

3. Allegation against the petitioners is to engage in  
  
illegal trade/manufacturing of illicit liquor, where there is  
  
recovery of 104 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for



the petitioners that the name of these petitioners arrayed solely on the basis of secret information received by police. The recovery of alleged illicit liquor was made from another place, but police showed the recovery from the house of petitioners and the petitioners are falsely implicated in the present case. It is also submitted that petitioner no. 2 and 3 are falsely implicated in the present case because they are family members of petitioner no 1 It is also submitted that recovery of illicit liquor was not made from conscious possession of these petitioners. It is 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. Petitioners claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioners.

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 these



petitioners, who have clean antecedent, 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, are directed to be released on bail on furnishing  
bail bond of Rs.10,000/- (Rupees Ten Thousand) each with  
two sureties of the like amount each to the satisfaction of  
learned Exclusive Special Excise Judge, Excise Court No.- I,  
Muzaffarpur, in connection with Ahiyapur P.S. Case No.1639  
of 2025, 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.)**

Aniket/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

