

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51874 of 2026

Arising Out of PS. Case No.-1062 Year-2026 Thana- EXCISE BARH District- Patna

Manish Kumar @ Chunchun Kumar S/O Late Gorakh Rai R/O Village- C/O
Lagandev Ray (Nana) Pachhiyari Malahi, P.S.- Barh, District- Patna. At
present R/O Village- Mojipur Maharani Chowk, P.S- Nadi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner as
well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in
connection with Barh Excise P.S. Case No. 1062 of 2026,
registered for the offences punishable under Section 30(a) of
the Bihar Prohibition and Excise Amendment Act.

3. The prosecution case is that, during vehicle
checking, in course of driving a tempo, the petitioner, *Manish
Kumar @ Chunchun Kumar* was intercepted and on the
search of the said tempo, 76.800 litres of country-made liquor
is said to have been recovered from beneath the driver's seat.
The vehicle was seized and the petitioner was arrested at the
spot.

4. The learned counsel for the petitioner has



submitted that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from conscious possession of the petitioner. He has further submitted that the petitioner is owner-cum-driver of the seized tempo. He has also submitted that the provisions of Section 103 of the BNSS has not been complied with. He has next submitted that the petitioner is a person of clean antecedent and has been in judicial custody since 09.06.2026. He undertakes to cooperate with the investigation and trial as also, not to repeat the offence of similar nature.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Taking into account the entire facts and circumstances of the case, coupled with the fact that the petitioner is a person of clean antecedent, let the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court/concerned Court, Barh, Patna in connection with Barh Excise P.S. Case No. 1062 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal



of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the present one, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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