IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78747 of 2026

CNR No. BRHC011088932026

Arising Out of PS. Case No.-412 Year-2024 Thana- CHIRAIYA District- East Champaran

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Manish Kumar S/o Late Rampadarth Mukhiya @ Jhanda Rai R/o Village- Mohadipur, P.S- Chiraiya, Distt.- East Champaran.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Manoj Kumar, Adv.
For the Opposite Party : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 04-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Chiraiya P.S. Case No. 412 of 2024 registered for the offences punishable under Sections 30(a) and 30(c) of Bihar Prohibition & Excise Act.

3. The petitioner is named in the FIR and is in custody since 10.08.2026.

4. The allegation against the petitioner is to have in possession of 30 litres country made liquor and 2,000 litres of jaggery solution engaged in illegal trading/manufacturing of illicit liquor.

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5. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from Bhatti at village Piperpati Sareh. It is submitted that name of petitioner transpired on the basis of disclosure made by local chowkidar. It is also submitted that petitioner was neither present at the spot nor was he in any way connected with the said liquor. It is submitted that nothing incriminating material was recovered from the conscious possession of this petitioner. It is pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnel. While explaining criminal antecedent, it is submitted that petitioner found involved in five more criminal cases, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. In view of the 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 coupled with the fact that petitioner remains in custody since 10.08.2026, accordingly, petitioner above-named, is directed to be released on bail, furnishing bail

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bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge- I, East Champaran, Motihari, in connection with Chiraiya P.S. Case No. 412 of 2024, subject to the condition as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

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