

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17052 of 2025

Arising Out of PS. Case No.-584 Year-2021 Thana- RUPASPUR District- Patna

=====

Billa Manjhi @ Mukesh Manjhi S/O Suresh Manjhi R/O Rukanpur, Musarhi,
P.S.- Rupaspur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rohan Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Rohan Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Sanjay Kumar Tiwary,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rupaspur P.S. Case No. 584 of 2021 registered for the
offence punishable under Section 30(a) & 30(c) of the Bihar
Prohibition and Excise Act, 2018.

3. As per the allegation made in the FIR, 10 litres of
country made liquor was recovered from the house of Billa
Manjhi (petitioner).

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
been falsely implicated in the case. He has no concern either
with the seized liquor or trade of liquor in any manner. The



place of recovery is the house of the petitioner and the same has not been recovered from his conscious possession and the liquor was lying in open space. Petitioner is not involved either in manufacturing or in trade of illicit liquor, which is prohibited in the State of Bihar. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, the fact that the State has totally failed to check the smuggling, manufacturing and selling of illicit liquor in the State of Bihar and the recovery was made from an open place, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, in connection with Rupaspur P.S. Case No. 584 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

Ashishsingh/-

U		T	
---	--	---	--

