

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19009 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Manish Kumar Singh @ Manish Kumar Son of Subhash Singh @ Subhash
Prasad Singh village- Dafarpur, Ward no. 7 Ps- Naokothi, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Naokothi P.S. Case No. 32 of 2025 instituted for the offences
under Section 61(2) of the B.N.S. and Section 30(a), 32, 41 of
the Bihar Prohibition and Excise Act, 2016 and Section 25(1)(a)
of the Arms Act.

3. As per prosecution case, the police has recovered
total 134.64 liters of illicit foreign liquor from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. He submits that the name of the petitioner has transpired in this case on the basis of the disclosures made by the co-accused. The petitioner has no concern with the alleged occurrence. He further submits that as a matter of fact, the local Chaukidar on mere suspicion has disclosed the name of the petitioner due to his previous antecedent. Learned counsel for the petitioner submits that neither the place of occurrence nor the alleged vehicle belong to the petitioner. The petitioner has also no concern with the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has seven criminal antecedents and is languishing in judicial custody since 16.02.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner has altogether seven criminal antecedents.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after*



framing of charge if not already framed, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Naokothi P.S. Case No. 32 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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