

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23845 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Manish Kumar Singh @ Manish Kumar Son of Subhash Singh @ Subhash
Prasad Singh Resident of Village - Dafarpur, Ward No.- 07, P.S. - Naokothi,
District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-05-2025 Heard Mr. Shubesh Pandey, learned counsel for the

petitioner and Mr. Gulnar Begum, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.02.2025 in connection with Naokothi P.S. Case No. 09 of
2025 , F.I.R. dated 13.01.2025 for the offences punishable
under Section 61(2) of the BNS as well as 30(a), 32, 41 of the
Bihar Prohibition and Excise Act, 2016 and 25(1-AA), 25(1-
B)a, 26/35 of the Arms Act.

3. According to prosecution case, there is recovery
of illicit foreign liquor of 794.62 litres.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He



further submits that it appears from the F.I.R. and seizure list that nothing has recovered from the conscious possession of the petitioner rather the recovery has been made from the co-accused person, namely, Vijay Rajak and the name of the petitioner has been transpired on the basis of disclosure made by the co-accused person and except the aforesaid no other cogent material has come during the investigation which suggests the involvement of the petitioner in the present occurrence and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.02.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries seven criminal antecedent other than the present one but fairly submits on the basis of the Paragraph 3 of the bail petition that out of seven the petitioner is on bail on six cases.

6. Considering the aforesaid facts, the name of the petitioner has been transpired on the basis of disclosure made by the co-accused person and it appears from the FIR and seizure list that no incriminating article including arms has been recovered from the possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail



bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Judge-I, Bugusarai in connection with Naokothi P.S. Case No. 09 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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