

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36276 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Rajesh Manjhi @ Rajesh Bhuiyan S/o- Nagina Manjhi Village- SAwar Chak
Ps- Sindh Garh Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise Sherghati P.S. Case No. 106 of 2025 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered total 150 liters of illicit country-made liquor from the motorcycle which was driven by the petitioner.

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. The petitioner is the owner of the alleged motorcycle. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no



concern with the seized 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 no criminal antecedent and is languishing in judicial custody since 02.04.2025 without any rhymes 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.

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 and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail 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 Excise Sherghati P.S. Case No. 106 of 2025.

(Rudra Prakash Mishra, J)

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