

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37414 of 2025

Arising Out of PS. Case No.-155 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Manish Pandey @ Manish Kumar Pandey @ Manish Kumar S/o- Sri Ram
Naresh Pandey Resident of village- Dharampur Bandey PS-Sahpur Patori
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 17-06-2025 Heard Mr. Shanti Bhushan Singh, learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 155 of 2022 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act. Earlier
vide order dated 04-11-2022 passed in Cr. Misc. No. 48108 of
2022, anticipatory bail of the petitioner was allowed, but due to
non-fulfillment of certain condition, petitioner has surrendered
before the Court below. Thereafter, he again moved for regular
bail, which was rejected by a Co-ordinate Bench of this Court
vide order 06-03-2025, passed in Cr. Misc. No. 13807 of 2025,
with a liberty to renew his prayer after framing of charge.



3. The prosecution case, in short, is that 2548.440 foreign liters liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that charge is framed in this case. The petitioner is in custody since 24-12-2024 and has got seven criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 PS Case No. 155 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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