

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44815 of 2025

Arising Out of PS. Case No.-163 Year-2022 Thana- BIHTA District- Patna

Shiv Lagan Manjhi @ Shiv Lakhan Manjhi S/o Shiv Dutt Manjhi @ Shivrati
Manjhi Resident of Muesepura Musahari, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bindu Kumari, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihta
P.S. Case No. 163 of 2022 instituted for the offences punishable
under Sections 30(a), 30(c), 32(ii), 34, 36, 41(1) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 80 litres
of liquor has been recovered out of which, 5 litres of liquor has
been recovered from courtyard outside the house of the
petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner rather the recovery has been made from outside the house of the petitioner which is an open place and easily accessible to public at large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 22.05.2025 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Bihta P.S. Case No. 163 of 2022.

(Rudra Prakash Mishra, J)

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