

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51672 of 2025

Arising Out of PS. Case No.-533 Year-2023 Thana- EXCISE NAUGACHIA District-
Bhagalpur

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Sanjay Kumar Manjhi S/O Murali Manjhi R/o village- Purani Bihula Sthan,
Asarganj, P.S.- Asarganj, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Excise (Naugachia) P.S. Case No. 533 of 2023 registered for the
offences under Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, police received a secret
information that a pick-up van was coming loaded with illicit
liquor. Based on such information, the police intercepted the
pick-up van and apprehended its driver, who disclosed his name
as Nitesh Kumar. On search, 535.320 liters of foreign liquor was
recovered.

4. Learned counsel for the petitioner submits that the



petitioners is innocent and has falsely been implicated in the instant case. Further submission is that petitioner is neither the owner of the seized vehicle nor he has any concern with the alleged recovery of illicit liquor. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Excise (Naugachia) P.S. Case No. 533 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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