

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53942 of 2025

Arising Out of PS. Case No.-981 Year-2025 Thana- Excise P.S. District- Patna

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1. ManiKant Kumar @ Mithu S/O Sri Vijay Prasad R/O- Ward no. 1 in front of Khusrupur Nagar Panchayat, P.S.- Khusrupur, Distt.-Patna
 2. Mahesh Kumar S/O Late Umesh Mahto R/O Musallehpur Hat Mahabir Lane, P.S.- Pirbahor, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with Excise Patna P.S. Case No. 981 of 2025 instituted for the offences under Sections 30(a), 56(b), 32(i)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 171.625 liters of illicit liquor from the rented house of the petitioner no.1.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence



as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners further submits that the petitioners are not the renter of the alleged house and they have also no concern with the house in question and the recovered liquor and other materials. 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 no.1 has three criminal antecedents whereas petitioner no.2 has no criminal antecedent and are languishing in judicial custody since 16.06.2025 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 petitioners.

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 petitioners, let the petitioners, abovenamed, be released on



bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Patna P.S. Case No. 981 of 2025.

(Rudra Prakash Mishra, J)

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