

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55686 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- CHAKAND District- Gaya

1. Shiv Raj Kumar @ Shiv Raj Manjhi S/o- Fekan Manjhi, Resident of Village- Simariya PS-Chakand District- Gaya.
2. Shailesh Kumar @ Bhondu Chaudhary @ Shalesh Kumar S/o- Late Ganauri Chaudhary, Resident of Village- Channa Ps- Chandauti Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Chakand P.S. Case No.162 of 2025 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information regarding carrying of illicit country made liquor on three motorcycles in which petitioners were working as liner, the police intercepted them and recovered 180 liter country made liquor from black colour Hero motorcycle bearing Registration No. BR-02-AU-5039, 180 liter country made liquor from black colour Hero motorcycle bearing Registration No. BR-02-BH-7411 and 60 liter country made liquor from Glamour motorcycle bearing Registration No. BR-02-AB-7865. It is alleged that



petitioners and other co-accused persons fled away from the spot.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that petitioners have no concern with the alleged recovered liquor and they have been implicated in this case only on the basis of suspicion. Learned counsel submits that petitioners are neither owner nor driver of any of the vehicle in question. He further submits that no incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel submits that similarly situated co-accused persons have already been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 07.08.2025 passed in Cr. Misc. No.53067 of 2025. He further submits that petitioner no.1 has no criminal antecedent and petitioner no.2 has three criminal antecedents, in which he is on bail in all the cases and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.4, Gaya in connection with Chakand P.S. Case No.162 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with further following conditions:-

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioners shall co-operate in the investigation and trial and shall be properly represented on each and every date fixed by the Trial Court.

(iii) Petitioners shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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