

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59641 of 2025

Arising Out of PS. Case No.-750 Year-2024 Thana- Excise P.S. District- Nawada

Munna Kumar @ Munna Mahto @ Sujit Kumar S/o Chandirath Mahto @
Mundirath Mahto @ Mundrika Mahto Resident of Village/Mohalla - Law
Colony, Kurmi Tola, Patel Nagar, P.S. - Nemdar Ganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60019 of 2025

Arising Out of PS. Case No.-750 Year-2024 Thana- Excise P.S. District- Nawada

1. Baijnath Manjhi @ Baiju Manjhi S/o Shravan Manjhi R/o Village- Bela,
P.S.- Nemdarganj, District- Nawada
2. Vikram Manjhi @ Anuj Kumar S/o Shri Manjhi R/o Village- Bela, P.S.-
Nemdarganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 59641 of 2025)

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

(In CRIMINAL MISCELLANEOUS No. 60019 of 2025)

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025

Heard the parties.

2. The petitioners are apprehending their arrest in
connection with Nawada Excise P.S. Case No. 750 of 2024
for the offence under section 30(a)(c) of the Bihar



Prohibition and Excise Act lodged on 27.10.2024 by the informant, Shashi Bhushan Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, the forest was raided and from the different ditches, 10,000 Kg fermented mahua solution found and after keeping one liter as a sample, rest destroyed and again from the ditch, 350 liters of country made alcohol recovered and after preserving one liter, rest was destroyed and the locals gave the name of the petitioners which led to the implication in the FIR.

4. Learned counsel for the petitioners submit that recovery/seizure is from the forest area and not from the conscious possession, only because of criminal antecedent, implicated and if granted bail, they shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that the locals have gave the names.

6. Taking into account the submissions of the parties as also that the recovery/seizure is from forest area and not from the conscious possession, FIR is there, they shall be facing the trial and an undertaking has been given



that they shall be diligently appearing in trial, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Court, Excise, 2, Nawada in connection with Nawada Excise P.S. Case No. 750 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

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

(Rajiv Roy, J)

Adnan/-

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