

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61927 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- NAYAGAON District- Saran

1. Manish Kumar S/o Late Bharat Rai R/o Village - Hasanpur, P.S - Naya Gaon, District - Saran
2. Bhushan Kumar @ Bhusen Kumar S/o Ramnath Rai R/o Village - Hasanpur, P.S - Naya Gaon, District - Saran
3. Manish Kumar S/o Ramesh Rai R/o Village - Mahmood Chawk, P.S - Naya Gaon, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mili Kumari, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Nayagaon P.S. Case No. 138 of 2025, registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, police received secret information about petitioners and co-accused storing foreign liquor in a bamboo clump. A raid was conducted and four persons were found standing near the bamboo clump. Three of them who are the petitioners herein have been apprehended after



chase and on search of bamboo clump, recovery of 86.28 liters of foreign liquor was made.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of these petitioners except their mobile phones but the petitioners have no concern either with the seized liquor or with the bamboo clump from where the recovery has been shown. The petitioners are in custody since 09.08.2025 and they have no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioners and further considering their clean antecedent and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Second, Saran at Chapra/concerned court, in connection with Nayagaon P.S. Case No. 138 of 2025, subject to the condition laid down



under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

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

(Arun Kumar Jha, J)

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