

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71627 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- BARHAT District- Jamui

Teko Manjhi @ Sultan Manjhi Son of Bigan Manjhi Village- Sudamapur
Dadha, (Darha), P.S.-Barhat, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Devika Rani

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-10-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Barhat P.S. Case No. 45 of 2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is of being involved in sale of illicit wine. The police conducted a raid. Noticing the police party, the person, who was sitting in front of the house with a white coloured plastic gallon, succeeded in fleeing away, after throwing the plastic gallon. On search, total 5 litres country made *mahua* liquor was recovered. The local Chowkidar identified the petitioner.

4. Learned Advocate for the petitioner submitted that the identification of the petitioner by the local Chowkidar does



not inspire confidence, as both the persons are residing on different places. Recovery has also been made from an open place, which is easily accessible to all. Besides the aforesaid submission, infirmities in search and seizure has also been pointed out by the learned Advocate for the petitioner. It is lastly contended that be that as it may, the petitioner is man of fair antecedent and he undertakes that he will fully cooperate in the investigation and the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the suspected identification, besides the fair antecedent and the lack of materials attracting rigors provided under Section 76(2) of the Bihar Prohibition and Excise Act, 2016, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court No. 1, Jamui in connection with Barhat P.S. Case No. 45 of 2025, subject to the conditions laid down in



Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023,
with the further condition that one of the bailors shall be the
own/close family members of the petitioner.

(Harish Kumar, J)

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