

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71812 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- Krishnabraham District- Buxar

Mantu Sah @ Mantu Kumar Son of Nathuni Sah Resident of Village- Rehiya,
Police Station- Krishnabraham, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Krishnabraham (K.B.) P.S. Case No. 117 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

03. As per prosecution case, from the sacks fallen from the motorcycle of the petitioner, recovery of 7.8 liters of country made liquor was made and the petitioner was apprehended.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. There is no independent witness to the seizure list and there is no compliance of mandatory



provision of Section 105 of BNSS while making search and seizure. Learned counsel further submits that recovery has been made from the road and nothing incriminating has been recovered from the motorcycle of the petitioner. The petitioner is having antecedent of five cases and he is on bail in all such cases. The petitioner is in custody since 21.08.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that recovery has not been shown either from the petitioner or his motorcycle and also considering the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Buxar/court concerned in connection with Krishnabraham (K.B.) P.S. Case No. 117 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

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

(Arun Kumar Jha, J)

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