

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72402 of 2025

Arising Out of PS. Case No.-219 Year-2025 Thana- KAKO District- Jehanabad

Bhuneshwar Manjhi Son of Late Jalai Manjhi Village -Kako Mushahari
Mushahari Tola PS -Kako Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kako P.S. Case No. 219 of 2025 registered for the alleged offences under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, during a raid against trade of illicit liquor, a person started running away on seeing the police party. The *Mahal Chowkidar* disclosed the name of the petitioner who fled away on seeing the police party. On search of the house and outside of the house of the petitioner, recovery of 20 liters of country made *mahua* liquor was made from the corridor outside the house of the petitioner.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Even the recovery has been made from outside the house of the petitioner and not from the house of the petitioner, therefore, no recovery has been made from the conscious possession of the petitioner. The petitioner was not apprehended from the spot. The petitioner is having antecedent of four cases and he is on bail in all such cases. The petitioner is in custody since 23.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner appears to be habitual offender and he is having antecedent of similar nature of cases.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named 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 Judge, Excise Court No. 1, Jehanabad/court concerned in connection



with Kako P.S. Case No. 219 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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