

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74006 of 2025**

Arising Out of PS. Case No.-110 Year-2025 Thana- EXCISE MANJHAUL District-
Begusarai

Sumit Kumar S/O Late Radha Rai R/V- Gopalpur, Ward No. 08, P.S.- Cheriya
Bariyarpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
Smt. Divya Bharti, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Manjhaul Excise P.S. Case No. 110 of 2025, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 85.680 liters
liquor was recovered from bush and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the alleged recovery has been made from a bush which is an open place and the same is easily accessible to the public at large. It is further submitted that the petitioner has got no concern with the bush. The petitioner is in custody since 04.09.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manjhaul Excise P.S. Case No. 110 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

