

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75641 of 2025

Arising Out of PS. Case No.-122 Year-2019 Thana- BAHADURPUR District- Patna

Birbal Manjhi @ Bilbal Manjhi @ Bhura S/o Chaneswar Manjhi @ Bam Manjhi @ Nagarchi Manjhi R/o- Bahadurpur Jhoperpatti Mushahri, P.S.- Bahadurpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bahadurpur P.S. Case No. 122 of 2019 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 50 liters of illicit country-made liquor from near the toilet tank.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner rather the same has been recovered from open place, accessible to one and all. The petitioner has no concern with the seized liquor. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.09.2025 without any rhymes or reason. It is further submitted that the co-accused Ajay Manjhi @ Maina has already been granted bail by a Co-ordinate Bench of this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 697 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Bahadurpur P.S.
Case No. 122 of 2019.

(Rudra Prakash Mishra, J)

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