

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1486 of 2025

Arising Out of PS. Case No.-806 Year-2024 Thana- Excise P.S. District- Nawada

Sharwan Manjhi S/o- Late Yamuna Manjhi R/o - Bela, P.S - Nemdarganj,
District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Murti, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nawada
Excise P.S. Case No. 806 of 2024 instituted for the offences
under Sections 30(a), (c) and 47 of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered 5
liters of illicit country made liquor from the bushes. It is also
alleged that the police destroyed 2400 litres *Jawa Mahua* at the
place of occurrence itself.

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
only on the basis of suspicion. He further submits that nothing
incriminating has been recovered from the conscious possession



of the petitioner. The alleged recovery has been made from the open field which is easily accessible for everyone. The petitioner has no concern with the seized 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 one criminal antecedent of the Excise Act and is languishing in judicial custody since 20.11.2024 without any rhyme or reason.

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, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Nawada Excise P.S. Case No. 806 of 2024.

(Rudra Prakash Mishra, J)

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