

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89684 of 2025

Arising Out of PS. Case No.-908 Year-2025 Thana- MAHUA District- Vaishali

1. Vijay Kumar @ Vijay Manjhi @ Manjhi, Male, aged about 38 years, S/o Nathuni Manjhi, R/o Village- Baidyanathpur Baijnathpur, P.S- Mahua, Dist- Vaishali.
2. Jitendra Kumar, Male, aged about 32 years, S/o Jagdish Sah, R/o Village- Narayanpur Dhanepur, P.S- Mahua, Dist- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party	:	Mr. Md. Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Mahua P.S. Case No. 908 of 2025 dated 05.09.2025, instituted under Sections 274, 275 of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation is of recovery of 33.81 litres of foreign liquor from a paddy field situated approximately 50 meters ahead of the flour mill in Village Belkunda Dih..

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that no incriminating



articles have been recovered from their possession or from their houses. The alleged illicit liquor was recovered from a paddy field that does not belong to the petitioners. The petitioners have been made accused merely on the basis of secret information. It is further submitted that each petitioner has one criminal case pending against them.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Prohibition and Excise Judge-II-cum-District and Additional Sessions Judge, Vaishali at Hajipur, in Mahua P.S. Case No. 908 of 2025, subject to the conditions laid down in Section 482 (2) of the *Bhartiya Nagarik Suraksha Sanhita*, 2023 and further (i) that the petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the court below, (ii) that one of the bailor will be



their own blood relation, preferably father, mother, brother, sister and or their wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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