

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5151 of 2026

Arising Out of PS. Case No.-269 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Rohit Kumar Thakur Son of Birendra Thakur @ virendra Thakur Resident of village- Jurahi Panchayat Umga PS- Madanpur Distt -Aurangabad
2. Manish Kumar @ Manish Kungar son of Sadhu Yadav Resident of village- Choto Sasaram @ Chhota Sasaram Ward no. 3 Ps- Udwant Nagar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Bhagwanpur PS Case No. 269 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 7141.68 liters
foreign liquor was recovered from truck.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted that names of the petitioners have surfaced in this case as being driver and co-driver of the truck in question, respectively. The petitioners are in custody since 23.09.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that petitioner No.1 is the driver of the truck, hence, he may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner No.2, namely, Manish Kumar @ Manish Kungar, this Court is inclined to grant bail to the petitioner No.2, namely, Manish Kumar @ Manish Kungar.

7. Let the petitioner No.2, namely, Manish Kumar @ Manish Kungar be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur PS Case No. 269 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioner No.2.

(II) The petitioner No.2 shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner No.2.

8. So far as petitioner No.1, namely, Rohit Kumar Thakur is concerned, taking into account the fact that petitioner No.1 is the driver of the truck in question, this Court, at this stage, is not inclined to grant bail to petitioner No.1, namely, Rohit Kumar Thakur. Accordingly, prayer for bail of petitioner No.1, namely, Rohit Kumar Thakur is hereby *rejected*.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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