

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4749 of 2026

Arising Out of PS. Case No.-755 Year-2025 Thana- GARKHA District- Saran

1. Rampravesh Rai S/o Suresh Ray R/o Village- Zilkabad, P.S- Garkha, Dist- Saran.
2. Sushil Kumar @ Sushil Kumar Manjhi S/o Late Hira Manjhi R/o Village- Shivrahiya, P.S- Garkha, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Garkha P.S. Case No. 755 of 2025 instituted for the offences under Sections 30(a), 36, 38, 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 929.88 litres of liquor was recovered from pickup vehicle.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicle. The petitioners have got



no concern with the alleged recovery of liquor. Learned counsel, therefore, submitted that prima-facie, no case is made out against the petitioners. The petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 has two criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nyaya Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 has two criminal antecedents of similar nature.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner no. 1, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha P.S. Case No. 755 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

7. So far as petitioner no. 2 is concerned, since he



bears two criminal antecedents of similar nature, this Court is not inclined grant bail to the petitioner no. 2.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner no. 2 is, hereby, rejected.

9. However, if the petitioner no.2 surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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