

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5033 of 2026**

Arising Out of PS. Case No.-4271 Year-2025 Thana- Excise P.S. District- Patna

1. Tinku Manjhi S/o- Yogendra Manjhi @ Jogindar Manjhi Village- Lohanipur PS-Kadamkuan Distt- Patna
2. Md. Abbas (Abaas) Alam S/o- Md. Munna R/v- Pharsi Mohalla Mokama Ps- Mokama Dist- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Khushi Awadh, Advocate  
For the Opposite Party/s : Mr. Nagendra Prasad, 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 seeks bail in connection with Patna Excise P.S. Case No. 4271/2025 instituted for the offences punishable under Sections 30(a), 41 and 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 240 litres of liquor was recovered from tempo.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioner no. 2 is the driver of the vehicle in question but he had no knowledge regarding the goods loaded in the vehicle whereas petitioner no. 1 is the passerby of the way and has become victim of circumstances. The petitioners are in custody since 20.12.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on 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 Patna Excise P.S. Case No. 4271/2025, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

**(Rudra Prakash Mishra, J)**

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