

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10083 of 2026

Arising Out of PS. Case No.-446 Year-2025 Thana- MANJHI District- Saran

Sukesh Kumar S/O Late Jagdish Ray R/O Dahiyawa, Chapra Town, P.S.-
Manjhi, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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

ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Manjhi
P.S. Case No. 446 of 2025, instituted for the offences punishable
under Sections 109(1), 132, 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that on secret
information, police chased a boat allegedly carrying illegal
liquor, where the co-accused allegedly fired at the police and
were apprehended and recovery of country-made pistols and
cartridges were made. It is further alleged that from the boat,
752.600 litres of liquor and other articles were allegedly
recovered and seized.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor and arms. Learned counsel for the petitioner also submitted that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. The petitioner is in custody since 04.12.2025 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that other co-accused have been granted regular bail by this Court vide order dated 20.02.2026 passed in Cr. Misc. No. 12 of 2026. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

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

7. Let the petitioner be released on bail ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned Court in connection with Manjhi P.S. Case No. 446 of 2025, subject to the following conditions:

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

(II) The petitioner 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.

(Rudra Prakash Mishra, J)

Rajorshi/-

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