

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16064 of 2026

Arising Out of PS. Case No.-746 Year-2025 Thana- Excise P.S. District- Bhagalpur

Manoj Choudhary @ Manoj Kumar Choudhary @ Manoj Pashi S/o Late
Dukhan Choudhary R/o Mohalla - Harmo Bidhanagar, Vidya Nagar, Daronda,
Road No. - 3, P.S - Sukhdeo Nagar, District - Ranchi, State - Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2026 Heard Mr. Arvind Kumar, learned counsel for the

petitioner and Mr. Khurshid Anwar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.11.2025 in connection with Excise(Sadar) P.S. Case No. 746
of 2025, F.I.R. dated 21.11.2025 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. Recovery is of 224.67 liters of country made foreign
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.



as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from Mahindra bolero pick-up van and the petitioner has been made accused merely on the basis that he is the driver of the vehicle in question. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent other than the present one of similar nature but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-I, Bhagalpur in connection with Excise(Sadar) P.S. Case No. 746 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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