

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18593 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- MADHWAPUR District- Madhubani

Manoj Sadai @ Manoj Saday Son of Gopal Saday Resident of village-
Bardepur, Kaluahi, ps- Kaluahi, dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Archna Aanand, Advocate

For the Opposite Party/s : Mr.Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Ms.Archna Aanand, learned counsel for the
petitioner and Mr.Rajesh Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
30.01.2026 in connection with Madhwapur P.S. Case No. 14 of
2026, F.I.R. dated 29.01.2026 registered for the offence
punishable under Sections 274,275 of IPC and Section 30(a) of
Bihar Prohibition and Excise Act.

3. Recovery is of 540 liters of Nepali liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. Further submits
that it appears from the FIR as well as the seizure list that
nothing has been recovered from conscious possession of the
petitioner rather the recovery has been made from the vehicle in
question and petitioner is not the owner of the vehicle in



question and he has been made accused in the present case merely on the ground that the petitioner is driver of the vehicle in question. Although the recovery has been made from the vehicle in question but there is non-compliance of Section 103 of the BNSS, 2023 and the petitioner is in custody since 30.01.2026.

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

6. Considering the aforesaid fact, petitioner has clean antecedent and there is non-compliance of Section 103 of the BNSS, 2023, 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 learned Exclusive Special Judge, Excise Act, Madhubani in connection with Madhwapur P.S. Case No. 14 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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