

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17707 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- ALAMGANJ District- Patna

Manoj Kumar Son of Late Mohan Prasad Resident of Village - Pakki Goraiya,
Mahavir Sthan, P.S.- Khajekalan, P.O.- Patna City, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Nath, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-03-2026 Heard Mr.Ashutosh Nath, learned counsel for the
petitioner and Ms.Anita Kumari, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
14.01.2026 in connection with Alamganj P.S. Case No. 40 of
2026, F.I.R. dated 13.01.2026 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. Recovery is of 1491 liters of Codeine Cough Syrup.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. It appears from
the FIR as well as the seizure list that the recovery has been
made from the Godown in question. It appears from the FIR that
700 liters of codeine cough syrup has been recovered from the
Tempo in question and 791 litres of codeine cough syrup has



been recovered from the Godown in question and the petitioner has been made accused in the present case merely on the ground that the petitioner is owner of the Godown in question and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 14.01.2026.

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 Sections 103 and 105 of 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 Court-Excise, Patna City, Patna in connection with Alamganj P.S. Case No. 40 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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