

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19534 of 2026**

Arising Out of PS. Case No.-534 Year-2025 Thana- MIRGANJ District- Gopalganj

Manish Kumar S/o Satyadev Sah @ Satyadev Shah @ Rudal Sah R/O  
Badheya, P.S.- Mirganj, Dist.- Gopalganj.

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Deepankar Raj, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      31-03-2026      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
19.01.2026 in connection with Mirganj P.S. Case No. 534 of  
2025 for the offence punishable under Section 30(a) of Bihar  
Prohibition and Excise Act, 2016.

3. The prosecution story, in brief, is that police party  
were on night patrolling duty and in the meantime, informant  
received secret information that petitioner Manish Kumar and  
co-accused Dipanshu Kumar brought illicit liquor and hide the  
liquor in straw near Babnethi Chimni and stand there for sell.  
On the basis of said information, police party reached at the  
aforementioned place and saw that two persons started fleeing  
after seeing police party. However, police party chased them but



they managed to fled away. Thereafter, when police party searched the place then they recovered total 202 liters of country made liquor.

4. Learned counsel for the petitioner submits that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that as per the FIR, the petitioner has fled away from the place of occurrence. Learned counsel for the petitioner submits that from bare perusal of the FIR it appears that altogether 202 liters of country made liquor has been recovered from the place of occurrence and petitioner has been made an accused in this case on the basis of suspicion and except suspicion, no cogent material has come during the course of investigation to suggest the involvement of petitioner in the present case and petitioner is in custody since 19.01.2026. It is next submitted that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three cases other than the present case but fairly submits that



the petitioner is on bail in the pending cases.

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 Court of District and Additional Sessions Judge-IV-cum-Exclusive Special Court-II, Gopalganj in connection with Mirganj P.S. Case No. 534 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 canceled 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)**

Gaurav Sinha/-

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