

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24434 of 2026

Arising Out of PS. Case No.-29 Year-2026 Thana- Bahera District- Gaya

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1. Shatrughan Manjhi @ Shatrudhan Manjhi S/O Late Mangar Manjhi
Resident of Village- Bijapur, P.S- Mahkar, District- Gaya, Bihar.
 2. Ajit Kumar S/O Late Rajesh Ram @ Late Rajesh Das R/O Village/Mohalla-
Kolhaura, P.S- Atari, Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arihant Singh, Advocate
		Mr. Avinash Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Arihant Singh, learned counsel for the

petitioners and Mr. Parmanand Prasad, learned APP for the

State.

2. Petitioners seek bail, who are in custody since

12.02.2026 in connection with Bahera P.S. Case No. 29 of 2026,

F.I.R. dated 12.02.2026 for the offences punishable under

Section 30(a) of the Bihar Prohibition and Excise Act

3. Recovery is of 1200.96 litres of Indian made

foreign liquor.

4. Learned counsel for the petitioners submit that

petitioners have clean antecedent and they have falsely been

implicated in the present case. It appears from the FIR as well as



the seizure list that nothing has been recovered from conscious possession of the petitioners rather the recovery has been made from the truck in question and altogether 1200.96 litres of Indian made Foreign liquor was recovered and the petitioners are not the owner of the truck in question. Apart from aforesaid, there is non-compliance of Section 103/105 of the BNSS, 2023 and Seizure list witnesses are Police personnel. Petitioners are in custody since 12.02.2026.

5. Learned APP for the State on the other hand vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners and there is non-compliance of Section 103/105 of the BNSS, 2023, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise- 5, Gaya in connection with Bahera P.S. Case No. 29 of 2026, with the following conditions:

i. Petitioners 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 her absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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