

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25942 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- SURSAND District- Sitamarhi

Manoj Ray @ Manoj Kumar Ray S/o Umesh Ray Resident of village -
Sursand, Ward No. 14, Police Station- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Shashank Shekhar, learned counsel for
the petitioner and Mr. Suresh Prasad Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.02.2026.2026 in connection with Sursand P.S. Case No. 41
of 2026, F.I.R. dated 19.01.2026 for the offences punishable
under Sections 30(a) and 36 and 41 of the Bihar Prohibition and
Excise (Amended) Act, 2018 and Sections 274 and 275 of the
BNS, 2023.

3. Recovery is of 2970 liters of Nepalese liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. It appears from the FIR that altogether 2970 liters
of Nepalese liquor has been recovered from the vehicle in



question and one Mani Shankar Mahto was apprehended and he disclosed the name of the petitioner and he stated that the petitioner was acting as a liner and thus providing transport facility to Mani Shankar Mahto. He further submits that except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 10.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending 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 Special Judge, Exclusive Excise Court No. 2, Sitamadhi in connection with Sursand P.S. Case No. 41 of 2026 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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