

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29177 of 2026

Arising Out of PS. Case No.-230 Year-2025 Thana- BHAPTIAHI District- Supaul

Manoj Sah, S/o Nakchhedi Sah, Resident of Village - Lalganj Ward No. 07,
P.S - Bhaptiyahi, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bhaptiyahi P.S. Case No. 230 of 2025 dated 24.11.2025
instituted for the offence punishable under Sections 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Allegation is of recovery of total 116.535 litre
Liquor from a *Bari* situated behind the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
from the conscious possession of the petitioner rather the said
illicit liquor has been recovered from outside the house of the
petitioner which is an open place. The petitioner has been made
accused in this case only on the basis of disclosure made by the



apprehended person who is said to be the son of the petitioner. Lastly, it has been submitted that petitioner has two criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bhaptiyahi P.S. Case No. 230 of 2025, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. 1, Supaul subject to condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his



wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till framing of charge.

(Khatim Reza, J)

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