

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29691 of 2026

Arising Out of PS. Case No.-98 Year-2026 Thana- UDWANTNAGAR District- Bhojpur

Manish Kumar Ojha S/o Late Brajesh Ojha Resident of Village- Karja, P.S.-
Bahoranpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-05-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 17.64 litres of liquor from a Bolero vehicle.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on the fact that he is owner of the seized
vehicle. It is next submitted that petitioner had already sold the
Bolero vehicle having Registration No.BR03P-9731, Engine



No.GHB1E25290, Chassis No.MA1XA2GHKB5E77946 to one Bejli Ram on 17.06.2025, as would manifest from Annexure-2 i.e. the agreement entered in between petitioner and Bejli Ram. It is further submitted that a supplementary affidavit has been filed on 11.05.2026 on behalf of Bejli Ram wherein it is recorded that Bejli Ram had purchased the seized vehicle on 17.06.2025 after paying an amount of Rs.2,01,000/- to Manish Kumar Ojha. The learned counsel for the petitioner thus submits that since Bejli Ram has taken the onus that he had purchased the vehicle in dispute as such the entire liability of liquor shifts on him, but then police in a mechanical manner is chasing the petitioner.

5. Learned A.P.P. submits that he has received the copy of the affidavit filed on behalf of Bejli Ram, but then it is submitted that the said affidavit has been filed not by a learned lawyer engaged by Bejli Ram, but by the learned counsel appearing on behalf of the petitioner, but then, it is submitted that since the learned lawyer has filed the said affidavit, it cannot be disbelieved at this juncture. The learned A.P.P. further submits that the copy of this order be communicated to the Superintendent of Police, Bhojpur for his perusal and for taking necessary action against Bejli Ram.



6. The learned counsel appearing on behalf of the petitioner Mr. Ajay Kumar Singh, at this stage, submits that Bejli Ram had come to his office and in his presence the instant affidavit was sworn.

7. After hearing the learned counsel for the parties, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Udwantnagar (Gajrajganj) P. S. Case No.98 of 2026, subject to the conditions laid down under Section 482(2) of the BNSS.

8. The application stands allowed.

9. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail



order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of one case only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

10. Let a copy of this order be sent to the Superintendent of Police, Bhojpur for initiating action against Bejli Ram.

11. It is also made clear that Bejli Ram will have liberty to file an application before this Court seeking cancellation of anticipatory bail if the affidavit has not been sworn by him.

12. The office is directed to locate the supplementary affidavit filed on behalf of Bejli Ram on 11.05.2026 and annexed the same with the record.

13. The present order has been passed after perusing the office copy of the affidavit produced by the learned counsel appearing on behalf of the petitioner.

14. The Court expects that the Superintendent of Police, Bhojpur will act in the case promptly.

(Satyavrat Verma, J)

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