

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30547 of 2026

Arising Out of PS. Case No.-755 Year-2025 Thana- GARKHA District- Saran

Sushil Manjhi @ Sushil Kumar Son of Late Hira Manjhi Resident of village -
Shivrahiyan, P.S.- Garkha, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yash Raj, Advocate
		Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2026 Heard Mr. Yash Raj, learned counsel for the
petitioner and Mr.Jai Narain Thakur, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
09.03.2026 in connection with Garkha P.S. Case No. 755 of
2025, F.I.R. dated 13.10.2025 registered for the offence
punishable under Section 30(a), 36, 38, 41 of Bihar Prohibition
and Excise Act.

3. Recovery is of 929.88 litre of illicit liquor.

4. Learned counsel appearing for the petitioner
submits that the name of the petitioner has been transpired
during investigation on the basis of the disclosure made by co-
accused person namely Sita Ram Manjhi and except the
aforesaid, no other cogent material has come during
investigation against the petitioner to suggest the involvement of



the petitioner in the present occurrence and the recovery has been made from the vehicle in question. It appears from the seizure list that the seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023. Further submits that co-accused person, namely, Ram Pravesh Rai, against whom the similar allegation that he had escaped from the place of occurrence along with the petitioner, has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 30.01.2026 passed in Cr. Misc. No.4749 of 2026 and co-accused person, namely, Sita Ram Manjhi has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 02.12.2025 passed in Cr. Misc. No.82120 of 2025 and the petitioner is in custody since 09.03.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more case other than the present one of similar nature but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned 1st Exclusive Special Excise Court, Saran at Chapra in connection with Garkha P.S. Case No. 755 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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