

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30642 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- Excise P.S. District- Saran

Pradeep Manjhi S/o Late Chhaththu Manjhi R/o Village - Meera Musehari,
P.S - Muffasil, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.04.2026 in connection with Sadar Excise P.S. Case No. 81 of
2026 for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Amendment Act, 2022.

3. The case of the prosecution, in brief, is that total 25
liters of illicit country made liquor was recovered from the joint
possession of accused persons on the spot.

4. Learned counsel for the petitioner submits that it
appears from the FIR and seizure list that ten liters of country
made liquor was recovered from the possession of the accused
persons and five liters of country made liquor was recovered
from the possession of the petitioner. Learned counsel for the



petitioner submits that in fact nothing has been recovered from the conscious possession of the petitioner rather the police has shown the recovery from the possession of the petitioner. It is next submitted that from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023. It is next submitted that the co-accused person, namely, Jairam Manjhi has been granted bail vide order dated 05.05.2026 passed in Cr. Misc. No. 30483 of 2026 and petitioner is in custody since 04.04.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case.

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 Court of Exclusive Special Excise Court, Saran at Chapra in connection with Sadar Excise P.S. Case No. 81 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)

Gaurav Sinha/-

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