

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31468 of 2026

Arising Out of PS. Case No.-132 Year-2026 Thana- KADAMKUAN District- Patna

Sagar Kumar @ Sagar Manjhi S/o Late Vishwanath Manjhi Resident of
Village - Chheditola, Mubarakpur, P.S. - Phulwarisharif, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Ravi Shanker Pankaj, learned counsel
for the petitioner and Md. Nazir Ansari, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.04.2026 in connection with Kadamkuan Excise P.S. Case No.
132 of 2026 for the offence punishable under Section 30(a) of
the Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution, in short, is that the
allegation against the petitioner is of recovery of 130 liters of
liquor from the scooty.

4. Learned counsel for the petitioner submits that it
appears from the FIR and seizure list that recovery has been
made from the scooty and the petitioner has been made an
accused in the present case merely on the fact that petitioner is



owner of the scooty in question. It is next submitted that the allegation against the petitioner is of recovery of 130 liters of liquor from the scooty in question. 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 and petitioner is in custody since 01.04.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is owner of the scooty in question and petitioner has antecedent of one case other than the present case but fairly submits that petitioner 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 Exclusive Special Judge Excise-2, Sheikhpura in connection with Kadamkuan Excise P.S. Case No. 132 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/-

U		T	
---	--	---	--

