

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31904 of 2026

Arising Out of PS. Case No.-149 Year-2026 Thana- PARSA District- Saran

Sabita Devi Wife of Kalpu Manjhi Resident of Village- Shankardih, P.S.-
Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashad

For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Ashad, learned counsel for the petitioner
and Ms. Indu Kumari Srivastava, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.03.2026 in connection with Parsa P.S. Case No. 149 of 2026
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The case of the prosecution, in brief, is that on
25.03.2026, police received information that Vikash Kumar,
Sabita Devi and Sanoj Manjhi are selling illicit liquor behind the
house of Sabita Devi. On the said information, the police
reached on the spot where on seeing police jeep, three persons
tried to flee away from the spot but with the help of police
personnel, the said three persons were apprehended and



disclosed their name as Vikash Kumar, Sabita Devi and Sanoj Manjhi respectively. On searching, the police recovered total 16.400 litres of illicit country made liquor from behind the house of accused (Sabita Devi). Thereafter, police seized the illicit liquor and prepared seizure list in presence of two witnesses from raiding party.

4. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from behind the house of the petitioner and he has been made an accused in this case merely on the basis of suspicion and except the aforesaid, nothing has come to suggest the involvement of petitioner in the present case. 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, Sanoj Manjhi has been granted bail by a Coordinate Bench of this Court vide order dated 22.04.2026 passed in Cr. Misc. No. 27169 of 2026 and petitioner is in custody since 26.03.2026

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 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 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Parsa P.S. Case No. 149 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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