

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34864 of 2026

Arising out of PS. Case No.-47 Year-2025 Thana- MANJHAUL District- Begusarai

Shambhu Sah Son of Karu Sah Resident of Village - Paharpur, P.S.-
Mehrama, District - Godda (Jharkhand). Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in Manjhaul P.S. Case No.
47 of 2025 dated 23.05.2025 registered for the offence under
Sections 274 and 275 of the BNS and section 30(a) and 41(1) of
the Bihar Prohibition and Excise Act.

3. The allegation is that 2001.780 litres of wine of
was recovered from a truck and on the basis of confessional
statement of co-accused Phool Mohammad the name of the
petitioner has transpired.

4. Learned counsel for the petitioner submits that the
petitioner was not the owner/driver of the said vehicle. He
further submits that on the basis of confessional statement of the
co-accused the name of the petitioner has transpired. It is also
submitted that the petitioner has no criminal antecedent and is in
custody since 17.03.2026.



5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering that the alleged recovery was not made from the conscious possession of the petitioner and the petitioner is in custody since 17.03.2026 having no criminal antecedent, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge 1st Begusarai in connection with Manjhaul P.S. Case No. 47 of 2025.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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