

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35696 of 2026

Arising Out of PS. Case No.-153 Year-2026 Thana- NEMDARGANJ District- Nawada

1. Santu Kumar @ Santu Manjhi S/o Uday Manjhi R/o Village - Bela, P.S. - Namdarganj, Dist. - Nawada.
2. Pappu Manjhi S/o Devendra Manjhi R/o Village - Bela, P.S. - Namdarganj, Dist. - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 25-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing for the State.

2. The petitioners apprehend their arrest in connection with Nemdarganj P.S. Case No. 153 of 2026, for allegedly having committed offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that while he was on patrolling duty along with the police party on 11.04.2026 at 05:30 hours, he got a secret information that two persons are carrying illegal liquor in a blue coloured E-Rickshaw and are coming from Jalalpur towards



Derma. After giving information to his superior officials and to verify the authenticity of the said information, the informant reached the place of occurrence and saw that two persons are coming in a blue coloured E-Rickshaw, which was apprehended. Upon search made of the said E-Rickshaw, total 320 litres of country made liquor was recovered and two persons were arrested. The said two arrested persons disclosed the names of the petitioners herein as the persons to whom the delivery was to be made.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that the names of the petitioners transpired in the present case only on suspicion and the statement given by the two persons, who were apprehended along with the seized liquor. He further submits that since the petitioners were not present at the place of occurrence, there is no question of any recovery from their possession and further the petitioners have got a clean antecedent.

5. *Per Contra*, the learned A.P.P. for the State opposes the prayer for grant of anticipatory bail to the petitioners and submits that altogether 320 litres of country made liquor was recovered from an E-Rickshaw and the persons, who were



apprehended, have disclosed the names of the petitioners, to whom the alleged country made liquor was to be delivered.

6. Having heard the learned counsel for the parties and after going through the records, it appears that the petitioners were not present at the place of occurrence and 320 litres of country made liquor was seized from an E-Rickshaw and two persons were apprehended. On the disclosure made by the arrested persons, the names of the petitioners transpired in the present case and the petitioners have got a clean antecedent.

7. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-1, Nawada in connection with Nemdarganj P.S. Case No.153 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take steps for cancellation of bail bonds of



the petitioners. 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.

(Ritesh Kumar, J.)

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