

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35885 of 2026

Arising Out of PS. Case No.-209 Year-2026 Thana- MANJHI District- Saran

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1. Sumit Yadav @ Sumit Kumar Yadav @ Sumit Kumar Son of Parmeshwar Yadav Resident of Village- Gairatpur, P.S.- Manjhi, Dist.- Saran at Chapra
 2. Sanjit Sharma Son of Shyam Sankar Sharma Resident of Village- Gairatpur, P.S.- Manjhi, Dist.- Saran at Chapra

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list would go to show that 20 liters of country made liquor is said to have been recovered from a sack which was tied on a motorcycle.

4. It is submitted by learned counsel for the petitioners that the petitioners have no concern either with the seized motorcycle or with the recovered liquor. There is no recovery from the conscious or physical possession of the petitioners. It is further submitted that there is violation of mandatory provisions



of search and seizure as there is no independent witness to the same. Petitioner no.1 has two criminal antecedents and is on bail in the said two cases, whereas petitioner no.2 has no criminal antecedent. Petitioners have been languishing in custody since 24.04.2026.

5. Taking into consideration the fact and circumstances of the case and also considering the non-compliance of mandatory provisions of search and seizure, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Manjhi P.S. Case No. 209 of 2026, subject to the further conditions that:

(i) The petitioners shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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