

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38884 of 2026

Arising Out of PS. Case No.-188 Year-2026 Thana- JALALPUR District- Saran

Mamata Devi @ Mamta Devi Wife of Late Dashrath Manjhi @ Late Dasharath Manjhi Resident of Village- Piyari (Pirari), P.S.- Jalalpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr.Sanjay Kumar Jha, learned counsel for the petitioner and Mr.Akbar Ali, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 15.05.2026 in connection with Jalalpur P.S. Case No. 188 of 2026, F.I.R. dated 14.05.2026 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 40 liters of country made liquor.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. It appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made near the house



of the petitioner and altogether 40 liters of country made liquor, Gas Cylinder and Gas Stove were recovered from the place of occurrence and seizure list witnesses are police personnel and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 15.05.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one of similar nature but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Jalalpur P.S. Case No. 188 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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