

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40818 of 2026

Arising Out of PS. Case No.-163 Year-2026 Thana- PANAPUR District- Saran

Manoj Bhagat S/o Late Jadulal Bhagat R/O village- Bhoraha, P.S-Panapur,
Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Sanjeet Kumar Singh, learned counsel for
the petitioner and Mr. Mithlesh Kumar Khare, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.05.2026 in connection with Panapur P.S. Case No. 163 of
2026, F.I.R. dated 23.04.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Amended Act,
2022.

3. Recovery is of 05 liters of illicit country made
liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the



conscious possession of the petitioner rather the recovery of 05 liters of illicit liquor has been made from the motorcycle in question and petitioner is the owner of the said motorcycle. He further submits that the petitioner has no concern at all from the recovery of the illicit liquor. It appears from the seizure list that seizure list witnesses are home guard personnel, so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 15.05.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in the pending matters.

6. Considering the aforesaid facts and circumstance, 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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Panapur P.S. Case No. 163 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)

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