

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42096 of 2026

Arising Out of PS. Case No.-49 Year-2001 Thana- MADHAURAH District- Saran

Prori Manjhi @ Ram Ayodhya Manjhi, Son of Late Saheju Manjhi, Resident of Village - Mirzapur, Police Station - Marhowrah, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Marhowrah P.S. Case No. 49 of 2001, registered for the alleged offence under Section 47(a) of Bihar Prohibiton and Excise Act.

3. It is a case of misuse of privilege of bail by the petitioner.

4. The learned counsel for the petitioner submits that the petitioner was granted bail on 23.03.2001, but his bail bond was cancelled on 08.08.2003 and process under Sections 82 & 83 of Cr.P.C. was issued. Thereafter, the petitioner surrendered and was again released on bail. But due to absence of the petitioner, his bail bond was again cancelled on 01.12.2022. The



learned counsel further submits that the petitioner was apprehended for the offence under Section 47(a) of Excise Act. The learned counsel further submits that the petitioner undertakes not to misuse the privilege of bail in future and he will remain present on each and every date before the learned trial court if released on bail. The petitioner is in custody since 04.06.2026 and is having antecedent of one case.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner has misused the privilege of bail with impunity and on four occasions, his bail bond was cancelled and if he is again granted bail, he would certainly misuse the privilege of bail and the trial would never be completed.

6. Having regard to the facts and circumstances and submissions made here-in-above and considering the period of custody of the petitioner due to misuse of privilege of bail, the petitioner above named is directed to 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 learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Marhowrah P.S. Case No. 49/2001, subject to the conditions mentioned in Section 480 (3) of the BNSS and also



the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

However, considering the fact that the matter is quite old, the learned trial court would continue the trial on day to day basis.

(Arun Kumar Jha, J)

V.K.Pandey/-

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