IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76958 of 2026

CNR No. BRHC011100752026

Arising Out of PS. Case No.-934 Year-2026 Thana- BIHTA District- Patna

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Manoj Kumar S/o Lalan Rai @ Lalan Roy R/o Village - Pathlautiya Katesar, P.S. - Bihta, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Rakesh Chandra, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bihta P.S. Case No. 934 of 2026 lodged on 21.09.2026 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total recovery of 300 litres of country made liquor is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Nothing

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has been recovered from the conscious physical possession of the petitioner rather the alleged recovery has been shown near the Sone river which is an open place and does not belong to the petitioner. The petitioner is in custody since 21.09.2026 having clean antecedent. However, the petitioner is willing to abide by any conditions that may be imposed by this Hon'ble Court in the event of his release on bail.

5. Learned counsel for the State opposes the prayer for bail but submits that the antecedent of the petitioner is clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned Special Excise Judge, Danapur, Patna, in connection with Bihta P.S. Case No. 934 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as the following condition :-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide; and*

(ii) the petitioner shall appear on each and every date

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before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

Ashwini/-

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