IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77102 of 2026

CNR No. BRHC011121432026

Arising Out of PS. Case No.-457 Year-2026 Thana- MANJHI District- Saran

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Ganesh Kumar Chaudhary @ Ganesh Chaudhari S/o Late Srikishun Chaudhary @ Srikishun Chaudhary Resident of Village - Manjhi Chauba Sthan, Police Station - Manjhi, District – Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

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

2. This is an application filed on behalf of the petitioner for grant of regular bail in connection with Manjhi P.S. Case No. 457/2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (as amended up-to-date).

3. As per prosecution case, there is alleged recovery of 30 liters country made liquor from a lane situated outside the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

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5. It is further submitted that nothing has been recovered from the conscious possession of the petitioner, rather, the alleged recovery was made from a lane situated beside the house of the petitioner, as is evident from FIR as well as seizure list. The alleged place of recovery is situated on public land and does not belong to the petitioner. The petitioner has no concern with the seized illicit liquor.

6. It is submitted that the petitioner has falsely been implicated in this case solely on account of his criminal antecedents and dirty village politics. Seizure list has not been prepared as per law.

7. It is submitted that the petitioner is languishing in custody since 20.09.2026 and bears three criminal antecedents in which he is on bail.

8. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances of the case, period of custody and argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of 2nd Exclusive Special Excise Judge, Saran at Chapra in

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connection with Manjhi P.S. Case No. 457/2026, subject to following conditions:-

(i) One of the bailors shall be family member of the petitioner.

(ii) Petitioner will co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) 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.

(iv) the trial court shall verify the criminal antecedent of the petitioner and if at any stage, it is found that the petitioner has concealed his criminal antecedent, the trial court shall take steps for cancellation of his bail bonds of the petitioner. However, the acceptance of bail-bond shall not be delayed for the purpose of in name of verification.

(Kumar Manish, J)

Abhishek/-

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