

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77733 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- JALALPUR District- Saran

1. Pankaj Manjhi @ Pankaj Kumar son of Badri Manjhi @ Surendra Manjhi R/o Village- Kotheya Police Station- Jalalpur, District- Saran at Chapra
2. Nand Kishor Manjhi Son of Rajeshwar Manjhi R/o Village- Kotheya Police Station- Jalalpur, District- Saran at Chapra
3. Badri Manjhi @ Surendra Manjhi son of Rajeshwar Manjhi R/o Village- Kotheya Police Station- Jalalpur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Jalalpur PS Case No. 204 of 2024 instituted for the offences under Sections 30(a) & 45 of the Bihar Prohibition and Excise Act and Sections 191(2), 191(3), 190, 115(2), 118(1), 117(2), 125, 121(1), 121(2), 109, 132, 223, 352, 351(2), 351(3), 324(4), 324(5) & 221 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on secret information police raided Daharu Manjhi's house and Laxman Manjhi's house, accused persons, including the petitioners



attacked on police personnel with *lathi*, *danda*, bricks etc. due to which police personnel sustained injuries. Thereafter, on search total 25 litres of liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that general and omnibus allegation has been made against the petitioners. Petitioners have no concern with the alleged recovery of liquor. It has been submitted on behalf of the petitioners that the petitioners are in custody since 26-08-2024, having clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused persons have been granted bail by this Court *vide* order dated 25-10-2024, passed in Cr. Misc. No. 77477 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners, claim based on parity and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jalalpur PS Case No. 204 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

