

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77477 of 2024

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

1. Awdhesh Manjhi @ Awadhesh Kumar Manjhi S/O Shailesh Manjhi R/o Village- Kotheya, Police Station- Jalalpur, District- Saran at Chapra.
2. Arjun Manjhi S/O Meghnath 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. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

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

3. Prosecution story, in short, is that on secret information police raided Daharu Manjhi's house and Laxman Manjhi's house, the 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 submitted that the petitioners have falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that general and omnibus allegation has been made against the petitioner. 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 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused persons have already been granted bail by this Bench vide order dated 21.10.2024 passed in Cr. Misc. No. 75179 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, 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 P.S. Case
No. 204 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

