

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81852 of 2024

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

1. Jittu Kumar Son of Naggi Manjhi R/o Village- Kotheya, P.S.- Jalalpur, District- Saran at Chapra
2. Brajesh Kumar Manjhi @ Brajesh Paswan Son of Naggi Manjhi @ Nagnarayan Manjhi R/o Village- Kotheya, P.S.- Jalalpur, District- Saran at Chapra
3. Anita Kumari @ Anila Kumari Wife of Lakshman Manjhi R/o Village- Kotheya, P.S.- Jalalpur, District- Saran at Chapra
4. Deepmala Kumari Daughter of Bhola Manjhi R/o Village- Kotheya, P.S.- 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. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest 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), 45 of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that on secret information police raided Daharu Manjhi's and Laxman



Manjhi's house, the accused persons 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 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 regular 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, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from today, be released on anticipatory bail on furnishing



bail bonds of Rs. 10,000/-(Ten Thousand) 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, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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