

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23977 of 2025

Arising Out of PS. Case No.-520 Year-2022 Thana- GAURICHAK District- Patna

1. Indrajeet Manjhi Son of Preman Manjhi Resident of village - Mustafapur, P.S.- Gaurichak, District - Patna.
2. Kishun Dev @ Vishundev Manjhi @ Vishnudev Manjhi Son of Preman Manjhi Resident of village - Mustafapur, P.S.- Gaurichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) & 36 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 10 litres of liquor from a place behind the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged



recovery is from a place which does not belong to the petitioners but then is adjacent to their house and they came to be implicated at the instance of local people, but then the name of the person, who disclosed the name of the petitioners is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioners admittedly are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gaurichak P.S. Case No. 520 of 2022 subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioners have antecedent of even one case then it would be presumed that petitioners, for the purposes of



seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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