

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30746 of 2025

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

Nagi Manjhi @ Naggi Manjhi @ Nagraim Manjhi @ Nagnarayan Manjhi S/O
Late Lalu 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, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with Jalalpur
P.S. Case No. 204 of 2024 instituted for the offences under
Sections 30(a)/45 of the Bihar Excise and Prohibition Act, 2016
and 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) & (5),
221 of the B.N.S., 2023.

3. As per prosecution case, on receipt of secret
information, when the police raided the Daharu Manjhi's house
and Laxman Majhi's house, the accused persons attacked on the
police personnel with *lathi*, *danda*, *bricks* etc. due to which the
police personnel sustained injuries. Thereafter, on search, total



25 liters of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the alleged recovery of illicit liquor or the place of occurrence. There is no independent eye-witness showing the complicity of the petitioner in the alleged occurrence. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has five criminal antecedents and is languishing in judicial custody since 20.03.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Bhola Manjhi has been granted anticipatory bail by this Court vide order dated 11.12.2024 passed in Cr. Misc. No. 84904 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on 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 following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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