

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45477 of 2025

Arising Out of PS. Case No.-296 Year-2021 Thana- BARAULI District- Gopalganj

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Bittu Manjhi, Son of Bhulan Manjhi Resident of Village- Kahla, P.S- Barauli,
Distt Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 07-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Barauli P.S. Case No. 296 of 2021, instituted for the offence under Sections 30(a) and 37(b) of the Bihar Prohibition and Excise Act.

3. There is recovery of total 20 litre illicit liquor from the East and West side of Gandak Canal Bridge, kept in bushes. Mahal Chaukidar disclosed the name of petitioner who managed to flee away from the spot along with other accused persons.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case at the instance of *Chaukidar*. No incriminating material has been recovered from his possession. He has no concern with the seized



liquor. Petitioner has one criminal antecedent in which he is on bail. He undertakes to co-operate in the investigation and trial. Similarly situated co-accused, namely, Sikandar Manjhi @ Shikendra Manjhi has already been granted anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 31.01.2025 passed in Cr. Misc. No. 84641 of 2024. It is further submitted that petitioner shall deposit Rs. 5000/- (Rupees Five Thousand) in the account of District Bar Association, Gopalganj.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioner, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 13-cum- Special Excise Court No. 1, Gopalganj in connection with Barauli P.S. Case No. 296 of 2021, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023 with following condition:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how



he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of District Bar Association, Gopalganj.

(Sunil Dutta Mishra, J.)

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