

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60591 of 2025

Arising Out of PS. Case No.-571 Year-2020 Thana- PHULWARISHARIF District- Patna

1. Jitendra Manzi S/o Late Luchchi Manzi @ Ramchandra Manzi Resident of Mohalla- Govindpur, Laxman Tola, 152, Mushahari, P.S.- Phulwarisharif, District- Patna
2. Dukhani Devi @ Dukhani Manjhi D/o Sukhlu Manjhi Resident of Mohalla- Govindpur, Laxman Tola, 152, Mushahari, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 13-11-2025 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. The learned counsel for the petitioners submits that by order dated 23.09.2025, case diary was called for but the same till date has not been received. The Court will not wait endlessly for the case diary. It is next submitted that petitioner no.1 has antecedent of two cases and petitioner no.2 is a person with clean antecedent and is a woman and allegation is of recovery of 50 litres of liquor from the house of Azad Manjhi,



45 litres of liquor from the house of Vikky Manjhi and 10 litres of liquor from possession of Shatrughan Manjhi. It is next submitted that 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 and they do not have any concern or relation with Azad, Vikky and Shatrughan and they came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

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

5. 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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Phulwarisharif P.S. Case No.571/2020, corresponding to Special Case No.6185/2020, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.



6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of more than two cases and petitioner no.2 has antecedent of even one case, in that event, it would be presumed that petitioners had concealed their antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed with but if on verification it is found that petitioner no.1 has antecedent of two cases and petitioner no.2 is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

amit/-

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

