

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57921 of 2025

Arising Out of PS. Case No.-239 Year-2025 Thana- BAIRIYA District- West Champaran

1. Kanhaiya Mukhiya @ Kanhaiya Manjhi @ Kanhaiya Kumar S/o Mahaveer Manjhi R/o Village -Laukariya Mushahri Tola, P.S-Bairiya , District - West Champaran at Bettiah
2. Pramod Manjhi S/o Indradev Manjhi R/o Village - Laukariya Mushahri Tola, P.S-Bairiya , District - West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in a case instituted under Section 30(c) of the Bihar Prohibition and Excise Act.

3. There is a recovery of 25.920 litres of Indian made foreign liquor from the place situated near Gandak River. The local *chaukidar* disclosed the names of petitioners, who fled away from the spot seeing the police.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case on the basis of disclosure made by local *chaukidar*. Nothing has been recovered from conscious possession of the



petitioners. Petitioners were not arrested on the spot. Petitioners have no concern with the alleged recovery. The recovery was made from the place near Gandak River, which is open place accessible to anyone. The petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial.

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

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 petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) 1st, Bettiah, West Champaran in connection with Bairiya P.S. Case No.239 of 2025, subject to the conditions as laid down in Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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