

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64027 of 2025

Arising Out of PS. Case No.-170 Year-2025 Thana- Raghunathpur District- East Champaran

1. Hari Manjhi S/O Sukaye Manjhi R/O Village- Sapahi Britiya, P.S- Turkauliya, Distt.- East Champaran.
2. Yogi Manjhi @ Yani Manjhi S/O Late Ganga Manjhi R/O Village- Sapahi Britiya, P.S- Turkauliya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Learned counsel for the petitioner submits that during the pendency of the petition, the petitioner no. 1, Hari Manjhi stands arrested and as such, he may be permitted to withdraw the petition with regard to the petitioner no. 1, Hari Manjhi.

2. Permission accorded.

3. The anticipatory bail application of the petitioner no.1, Hari Manjhi stands dismissed as withdrawn.

4. Heard the parties.

5. The petitioner no. 2, Yogi Manjhi is apprehending his arrest in connection with Raghunathpur P.S. Case No. 170 of 2025 for the offence under sections 30(a) of the Bihar



Prohibition and Excise Act lodged on 21.06.2025 by the informant, Ashok Kr. Shahi.

6. As per the prosecution story, the Police recorded that during patrolling, the house behind the petitioner was raided and there is recovery/seizure of 10 liters of country-made liquor while from behind the house of Raju Sahani, 5 liters of country-made liquor recovered/seized. This led to the FIR.

7. Learned counsel for the petitioner submits that in the FIR, though it shows that recovery is from behind the house, it is not attributed to the petitioner, in any case, the same is from the open place and the petitioner no. 2, Yogi Manjhi has no criminal antecedent.

8. Learned APP opposes the prayer.

9. Taking into account the submissions of the parties as also that the recovery/seizure is from an open place and not from his conscious possession and he do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

10. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner no. 2, Yogi Manjhi has criminal antecedent, the present order shall become



infructuous.

11. Let the petitioner no. 2, Yogi Manjhi be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Raghunathpur P.S. Case No. 170 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner no. 2, Yogi Manjhi who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 2, Yogi Manjhi shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner no. 2, Yogi Manjhi shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner no. 2, Yogi Manjhi shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take



steps for cancellation of the bail bonds;

(v) the petitioner no. 2, Yogi Manjhi shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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