

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70947 of 2025**

Arising Out of PS. Case No.-267 Year-2022 Thana- BIHTA District- Patna

Bigan Manjhi @ Jai Prakash Manjhi @ Jai Prakash Manzi S/o- Late  
Mundrika Manzi @ Mundrik Manzi @ Munarik Manjhi Village- Bata  
Musahari PS-Bihta Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Avinash Raj

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      15-10-2025      1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bihta Police Station Case No. 267 of 2022, dated 16.03.2022, disclosing offences punishable under Sections 30(a)/30 (c)/32(iii)/34/36/41(i) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information, raided the house of the petitioner and recovered 08 litres of illicit country-made liquor as well as java mahua.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case by the police with ulterior motive. He further submits that the petitioner has got no concern with the illicit liquor recovered inasmuch as the illicit liquor has been recovered from the joint house of the petitioner, in which other members of the family also reside, but due to his past criminal antecedent, he has been made accused in this case, though he was not present in the house on the alleged date of recovery.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner.

6. This application is, accordingly, dismissed.
7. However, if the petitioner surrenders before the



concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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