

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72107 of 2025

Arising Out of PS. Case No.-439 Year-2024 Thana- MASHRAK District- Saran

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Laxman Manjhi S/o Lal Babu Manjhi R/o vill - Madarpur, P.S.- Mashrak @
Mashrakh, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Bharat, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, on 19.07.2024 at about 8:15 AM, the informant and a police team went on an intelligence mission to recover illicit liquor. While in village Godhna, they received information that Laxman Manjhi was hiding and selling liquor in his cattle shed area. Acting on this, the police, along with the chowkidar, reached the spot around 9:15 AM. On seeing the police vehicle, a man ran away towards the settlement and escaped due to the dense area. Locals identified the fleeing person as Laxman Manjhi and confirmed



that he was secretly selling liquor. When the police requested locals to act as witnesses for the search, no one agreed. Consequently, Om Prakash Singh and Kedar Pandit from the raiding team were made witnesses. Upon searching the cattle shed, the police recovered 10 liters of country-made Mahua liquor packed in small polythene bags and hidden in bushes in front of the shed.

4. Learned counsel for the petitioner submits that that 10 liters of illicit country made Mahua liquor is said to have been recovered which was kept in polythene bags hidden in bushes in front of cattle shed of this petitioner, namely, Laxman Manjhi, who is said to have fled away from the place of occurrence. It has next been submitted that the seized articles does not belong to the petitioner and due to dirty village politics, the name of the petitioner has been roped in the present case. The petitioner has clean antecedent and is a man of means and the articles which is said to have been recovered is from an open space accessible to general public.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has



not been recovered from the conscious possession and / or premises belonging to the petitioner and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Mashrakh P.S. Case No.439 of 2024 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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