

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72825 of 2025

Arising Out of PS. Case No.-166 Year-2022 Thana- DANAPUR District- Patna

1. Sanjeev Manjhi S/o Daru Manjhi Resident of village - Ashopur, Babkarpur Mushahari Tola, P.S - Danapur, District - Patna
2. Shiv Lagan Manjhi S/o Late Jagdish Manjhi Resident of village - Ashopur, Babkarpur Mushahari Tola, P.S - Danapur, District - Patna
3. Lagan Manjhi S/o Late Jagdish Manjhi Resident of village - Ashopur, Babkarpur Mushahari Tola, P.S - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Adv.
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Danapur P.S. Case No. 166 of 2022 dated 07.03.2022, registered for the offence punishable under Sections 30(a), 30(c), 34, 32(3), 36 and 41(1) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 25 litres country made liquor from in front of the house (hut) of petitioner no. 1 and 25 litres country made liquor from a dilapidated hut of petitioner nos. 2 and 3.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is alleged that there is recovery of 25 litres country made liquor from in front of the house of petitioner no. 1 but there is no recovery from the house (hut) of petitioner no. 1, which is apparent from the seizure list. It is submitted that so far recovery of 25 litres country made liquor from a dilapidated hut of petitioner nos. 2 and 3 is concerned, it is apparent from the seizure list that none of them were present in the said hut. It is further submitted that the said hut is situated in an open space, which is accessible to anybody. It is also submitted that petitioners have no concern with the said seized articles. Lastly, it has been submitted that petitioner no. 1 has one criminal case, petitioner no. 2 has two criminal cases and petitioner no. 3 has one criminal case of similar nature respectively against them.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the



parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Danapur P.S. Case No. 166 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Danapur, Patna, subject to condition as laid down under Section 482(2) of B.N.S.S. as also to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or their wife.

3. The bailor shall also state on affidavit that he/she will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for



cancellation of bail on ground of misuse.

4. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioners shall appear before the Police Station of his local area in the first week of each month till framing of the charge/ disposal of the present case.

(Khatim Reza, J)

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