

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84044 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- Raghunathpur District- East Champaran

Dharmendra Manjhi S/O Ramparekha Manjhi @ Ram Parekha Manjhi, R/O
Chailaha Ward No. 8, P.S.- Banjariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-12-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks anticipatory bail, apprehending his arrest, in connection with Raghunathpur P.S. Case No. 210 of 2025 dated 25.07.2025, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the allegation, total 55 litre of illicit liquor has been recovered from a bush lying behind the house of the petitioner.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the recovery has been made from an open space, which is accessible to public at large. He further



submits that there is no recovery from the house of the petitioner or his personal possession and there is no legally admissible material on record to connect the petitioner with the alleged offence.

5. As such, there is no *prima facie* case made out against the Petitioner under Excise Act and the Petitioner is entitled to get anticipatory bail.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

8. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

9. Considering the fact that no *prima facie* case is made out against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in



connection with Raghunathpur P.S. Case No. 210 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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