

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88562 of 2025**

Arising Out of PS. Case No.-370 Year-2025 Thana- CHANDAUTI District- Gaya

Buchak Manjhi @ Lalan Manjhi S/O Deoki Manjhi Resident of village -  
Korma, Police Station - Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Rabia Gulnaz, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      22-12-2025                      Heard Ms.Rabia Gulnaz, learned counsel for the  
petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Chandauti P.S. Case No. 370 of 2025 for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 08.10.2025 by the informant, Shambhu Sharan Yadav.

3. There has been recovery of 10 litres of illicit country made liquor allegedly from the verandah of the petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery of the illicit liquor is said to have been made from the verandah of the petitioner which is not in his exclusive possession rather it is a joint family property. It has further been submitted that nothing incriminating has been recovered from



the constructive possession of the petitioner and he has got clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that the recovery has not been made from the constructive possession of the petitioner rather it was said to have been made from the verandah which is not in exclusive possession of the petitioner rather it is a joint family property and the petitioner has got clean antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, 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 Exclusive Special Excise Court No-IV, Gaya in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

*(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;*

*(ii) the petitioner(s) 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 their/his bail bond by the Trial Court itself;*

*(iii) the petitioner(s) 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;*

*(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.*

**(Ajit Kumar, J)**

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