

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17362 of 2026

Arising Out of PS. Case No.-284 Year-2025 Thana- Gaura P.S. District- Saran

Lal Babu Manjhi S/o- Late Bijli Manjhi R/v- Narharpur Ps- Gaura, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh No. I

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-03-2026 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases under the Excise Act and allegation is of recovery of 05 litres of liquor from palani of Lal Babu Manjhi.
4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and palani is a place outside the house and thus is accessible to villagers at large. It is further no prudent person would use his premises for



committing a crime and thus, would create evidence against himself and hence, would get implicated. It is also submitted that it appears that someone inimical to the family concealed meager amount of liquor in the palani of the petitioner with an intent to implicate the entire family members. It is next submitted that in similar manner also petitioner came to be implicated earlier.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with ABP No.407 of 2026 arising out of Gaura P. S. Case No.284 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after



accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than two cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of two cases only, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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