

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16280 of 2026

Arising Out of PS. Case No.-369 Year-2025 Thana- MADHUBAN District- East Champaran

1. Raju Manjhi S/o Jangali Manjhi Resident of Village- Vishunpur Tara, Gulwara Madhuban, P.O.- Madhuban, P.S.- Madhuban, District- East Champaran
2. Jitendra Manjhi S/o Jangali Manjhi Resident of Village- Vishunpur Tara, Gulwara Madhuban, P.O.- Madhuban, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-03-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 110 litres of liquor from a place behind the house of the petitioner no.1.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged



recovery is from a place, which does not belong to the petitioners, but then, is adjacent to the house of petitioner no.1 and they came to be implicated at the instance of Chaukidar with whom they are on an inimical term. It is further submitted that if Chaukidar was aware of the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which casts an aspersion on the case of the prosecution. It is next submitted that it appears that the Chaukidar in order to save the real culprit falsely implicated the petitioners, who are persons with clean antecedent.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each 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 Madhuban P. S. Case No.369 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 petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

