

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16972 of 2026

Arising Out of PS. Case No.-373 Year-2025 Thana- KOTWA District- East Champaran

Jagdish Manjhi S/O Moter Manjhi @ Masari Manjhi R/O Village-
Machharagawan, P.S- Kotwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32 and 41(1) of the Bihar Prohibition an Excise (Amendment) Act in connection with Kotwa P.S.Case No. 373 of 2025.

3. On the basis of a secret information regarding illegal manufacture and sale of country-made liquor by the petitioner, the police reached the place of occurrence. During search of his house, 40 litres of country-made liquor was recovered and seized. It is further alleged during search of the house of another accused person, 80 litres of country-made liquor was recovered.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case due to village politics. The petitioner was living in a joint house and he had nothing to do with the alleged recovery.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the fact that that the recovery has been made from the house, which is a joint family house of the petitioner and, therefore, it cannot be ruled out that any other member of the family may have indulged in the illegal act of keeping the liquor in the house and also given the fact that the petitioner has no criminal antecedent and further that in the search and seizure memo, there is no description of the place from where the recovery has been made, under these circumstances I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.1, East Champaran, Motihari in connection with Kotwa P.S.Case No. 373 of 2025, subject to the conditions laid down under



section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioner shall co-operate in the investigation/ trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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