

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16899 of 2026

Arising Out of PS. Case No.-95 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Ashok Manjhi S/O Late Bashdev Manjhi R/O Vill- Mira Musehri, P.S-
Mufassil, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate
For the State : Mr.Lalan Kumar, APP

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 Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016 in connection with Mufassil P.S.Case No. 95 of 2025.

3. As per the prosecution case, the police, on a secret information regarding illicit liquor trade of the petitioner, swung into action and reached the place of occurrence. The police chased the accused person, who became successful in fleeing away, leaving behind two plastic bags containing 05 litres each. Thereafter, the *Chaukidar* disclosed that it was the petitioner, who was engaged in this illegal trade of liquor.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in the present case. He further submits that petitioner is the victim of circumstances and he has been implicated in this case due to ulterior motives.

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

6. Considering the fact that the petitioner was not apprehended on the spot and, therefore, no recovery has been made from the conscious physical possession of the petitioner and further taking into account that the recovery has taken place from an open place nearby the house of the petitioner, and also that the search and seizure memo has not been witnessed by two independent witnesses, which puts a question mark on the legality and validity of the seizure itself, I am inclined to grant 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 Additional Sessions Judge-cum-Exclusive Special Court Excise 1, Saran at Chapra in connection with Mufassil P.S.Case No. 95 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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