

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36478 of 2026

Arising Out of PS. Case No.-601 Year-2025 Thana- CHAKIA District- East Champaran

Naresh Manjhi S/o Chandar Manjhi @ Ramchandra Manjhi Resident of
village- Mushahari Tola (Koila Belwa), PS - Chakia, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard Learned Counsel for the petitioner and
Learned APP for the State.

3. The present criminal miscellaneous application has
been filed under Section 482 of the Bharatiya Nagarik Suraksha
Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for
grant of anticipatory bail to the petitioner who apprehends arrest
in connection with Chakia P.S. Case No. 601 of 2025, lodged on
03.12.2025, under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

4. As per the prosecution, FIR has been lodged against
four named accused persons including the present petitioner.



Total recovery of 274 litres of country made liquor has been made which is the subject matter of the present case.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that out of total 274 litres of country made liquor, 88 litres of country made liquor was recovered from the backside of the house (*Osara*) of the petitioner, which is an open place. He submits that at the time of recovery, he was not present in his house. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that as per the pleading recovery has been made from an open place and antecedent of the petitioner is clean.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the



satisfaction of Exclusive Special Excise Court No.-03, East Champaran, Motihar, in connection with Chakia P.S. Case No. 601/2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

Mkr./Bipin/-

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