

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33921 of 2026**

Arising Out of PS. Case No.-113 Year-2026 Thana- PANAPUR District- Saran

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Ajay Manjhi Son of Tilak Manjhi Resident of Village- Rasauli, P.S.- Panapur,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER**

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Panapur P.S. Case No.113 of 2026, F.I.R dated 10.04.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

3. As per the prosecution case, on 10.04.2026, acting on secret information, the police conducted raids at village Sarangpur and recovered 5 liters of spirit from a tent house, while Jai Prakash Sah was apprehended. It is further alleged that



during another raid at village Rasauli, two persons fled away leaving behind a bag containing 7.200 liters of English wine, and they were identified as Mithilesh Manjhi and Ajay Manjhi, leading to institution of the F.I.R.

4. Learned counsel for the petitioner submits that the place of recovery is from a bush, near eastern side of the house of the petitioner, which is an open place and accessible to all. It has next been submitted that the name of the petitioner has transpired on the basis of secret information and the petitioner was not present at the place of occurrence and is in no way connected with the seized articles. Lastly, it has been submitted that the petitioner has two criminal antecedent akin to the instant case but is on bail in all the said cases.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the petitioner has two criminal antecedent akin to the instant case but is on bail in all the said cases, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.



7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Panapur P.S. Case No.113 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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