

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33909 of 2026**

Arising Out of PS. Case No.-31 Year-2026 Thana- Panchanpur District- Gaya

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Fagu Manjhi @ Umesh Manjhi S/O Ramvrat Manjhi R/O Village- Belma,
P.S- Panchanpur, District- Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, 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 Panchanpur P.S. Case No.31 of 2026, F.I.R dated 22.02.2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, on 22.02.2026, Santosh Kumar, A.S.I. of Police, Panchanpur P.S., submitted a written statement before the Station House Officer alleging that during patrolling duty, he received secret information that the petitioner was illegally dealing in illicit liquor at his residence.



Acting upon the information, the informant along with police personnel proceeded to the petitioner's house for verification and necessary action. Upon reaching there, no person was found in the house. However, in the presence of witnesses, the house was searched, leading to the recovery of 8 litres of mahua liquor and 60 litres of jawa mahua. The jawa mahua was destroyed on the spot, a seizure list was prepared, and the witnesses signed the same.

4. Learned counsel for the petitioner submits that the place of recovery is from a house, which is in joint possession and merely on the basis of suspicion, the petitioner has been implicated in the present case. It has further been submitted that the petitioner has no criminal antecedent and was not present at the place of occurrence and is in no way connected with the seized articles.

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 no criminal antecedent, 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 Exclusive Special Judge Excise-2, Gaya Ji, in connection with Panchanpur P.S. Case No.31 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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