

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39326 of 2026

Arising Out of PS. Case No.-257 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Rohit Manjhi S/o- Late Lakar Manjhi R/village - Mira Mushehari, P.S. -
Muffasil, District – Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2026 1. 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 Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 40 litres of liquor from a vacant land behind the
house of Sanoj Mahto, 20 litres of liquor from *Palani* of
petitioner, 50 litres of liquor from *Palani* of Lal Babu Mahto
and 10 litres of liquor from *Palani* behind the house of Rajendra
Manjhi.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and *Palani* is a place



outside the house and thus is accessible to villagers at large. It is further submitted that no prudent person would use his own premises for committing an occurrence and, thus, would create evidence against himself and, hence, would get implicated. It is next submitted that it appears that someone inimical to the family planted meager amount of liquor with an intent to implicate the entire family members and the petitioner came to be implicated based on the secret information which is the easiest way to implicate someone without holding a proper investigation of the case, when petitioner admittedly is a person with clean antecedent.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Chapra Muffasil P.S. Case No. 257 of 2022, subject to the conditions as laid



down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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