

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39996 of 2026

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

Mithilesh Manjhi @ Mithilesh Kumar Manjhi S/o Tilak Manjhi R/o vill -
Rasauli, P.S.- Panapur, Distt.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan Raj
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2026 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
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases under the Excise Act and
allegation is of recovery of 7.200 litres of liquor from a bush
near house of petitioner and 5 litres of spirit from a tent house
godown . It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which
does not belong to the petitioner but then is adjacent to his
house and he has no concern or relation with the godown and



he came to be implicated at the instance of local person but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution. It is also submitted that apprehended accused Jay Prakash has not named the petitioner.

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

5. Considering the submissions made by the learned counsel for the petitioner, 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.15,000/- (Rupees fifteen thousand) 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 Panapur P.S. Case No.113/2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the



provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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