

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40121 of 2026

Arising Out of PS. Case No.-83 Year-2026 Thana- Raghunathpur District- East Champaran

1. Bhikhari Manjhi S/O Late Poshan Manjhi R/O Vill.- Majurahan, P.S.- Raghunathpur, District- East Champaran
2. Pramod Manjhi S/O Late Poshan Manjhi R/O Vill.- Majurahan, P.S.- Raghunathpur, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav,Advocate
For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Both accused/petitioners are named in the FIR and apprehending their arrest in connection with Raghunathpur P.S. Case No. 83 of 2026 registered for the offence under Section 30(a) Bihar Prohibition and Excise Act.

3. Allegation against the petitioners is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 10 liters of country-made liquor.

4. It is submitted by learned counsel that illicit liquor was recovered from bush grown beside the House of these petitioners, which is an open place and accessible by general public, sufficiently suggesting that the recovery was not made



from conscious physical possession of the petitioners.
Petitioners claimed clean antecedent.

5. Learned APP opposes the prayer of anticipatory bail of the petitioners.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of alleged country-made liquor *prima facie* not appears to be made from conscious physical possession of these petitioners, accordingly, both above-named petitioners, who are of clean antecedent, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No.-1, Motihari, District-East Champaran in connection with Raghunathpur P.S. Case No.83 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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