

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44247 of 2026

Arising Out of PS. Case No.-528 Year-2024 Thana- RAXAUL District- East Champaran

1. Tinku Manjhi Son of Dinesh Manjhi Resident of Village- Kaurihar, P.S.- Raxaul, Distt.- East Champaran
2. Raju Manjhi S/o Mohan Manjhi Resident of Village- Kaurihar, P.S.- Raxaul, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case under the Excise Act and allegation is of recovery of 31.5 litres of liquor from the house of Dasai Manjhi.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and even the alleged recovery is from a house which does not belong to the petitioners and petitioners have no concern or relation with Dasai Manjhi and they came to be implicated at the instance of Chowkidar with whom they are on an inimical term. It is next submitted that if Chowkidar was aware about the involvement of the petitioners in the occurrence, then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each 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 Raxaul P.S. Case No. 528 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and in the



event if it is found that petitioner no. 1 has antecedent of even one case and petitioner no. 2 has antecedent of more than one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail, had concealed their antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed with respect to that petitioner who had concealed his criminal antecedent before this Court, but after verification if it is found that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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