

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42421 of 2026

Arising Out of PS. Case No.-398 Year-2021 Thana- DHANARUA District- Patna

1. Chandan Manjhi S/o Jharkundal Manjhi R/o Mahamadpur Pabhera, P.S.-
Dhanarua, Distt.- Patna
2. Ranjan Manjhi S/o Bakhori Manjhi R/o vill- Mahamdpur Pabhera Bighapar,
P.s.- Dhanarua, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Advocate
Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Dhanarua P.S. Case No. 398 of 2021 lodged on 15.11.2021, for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners. Total recovery of 55 litres of illicit liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Counsel submits that nothing has been recovered from the conscious possession of the petitioners. He submits that as per the FIR, 12 litres of liquor has been recovered from the house of petitioner no. 1 and 14 litres of liquor has been recovered from the house of petitioner no. 2. He further submits that the petitioner no. 1 has clean antecedent, whereas, the petitioner no. 2 has one criminal antecedent in which, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the record, it transpires that the petitioner no. 1 has clean antecedent, whereas, the petitioner no. 2 has one criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the petitioner no. 1 namely, Chandan Manjhi be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Special Excise Judge-II, Patna, in connection with Dhanarua P.S. Case No. 398 of 2021, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. So far as petitioner no. 2 namely, Ranjan Manjhi is concerned, this Court is not inclined to grant bail to him.



Accordingly, the prayer for anticipatory bail of the petitioner no. 2 stands rejected.

8. However, liberty is granted to the petitioner no. 2 that if he surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner no. 2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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