

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6212 of 2026

Arising Out of PS. Case No.-260 Year-2025 Thana- Excise Arwal District- Jehanabad

Baban Manjhi Son of Mahangu Manjhi Resident of Village- Newana PO-
Vajitpur PS -Karpi, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of two cases under the Excise Act and
allegation is of recovery of 26 litres of liquor from a motorcycle.
It is next submitted that petitioner was not arrested from the
spot, as such, nothing was recovered from his conscious
possession and he came to be implicated based on the fact that
he is owner of seized vehicle. It is next submitted that no
prudent person would use his own vehicle for committing an
occurrence and thus, would create evidence against himself and



hence, would get implicated. It is also submitted that petitioner was completely unaware that Mithun Manjhi would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-II, Jehanabad in connection with Arwal Excise P.S. Case No.260 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedents of more than two cases, then it would be presumed that petitioner for the purposes of



obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedents of only two cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.2500/- with High Court Legal Services Committee, Patna within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

