

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9540 of 2023**

Arising Out of PS. Case No.-390 Year-2022 Thana- BAHERI District- Darbhanga

RAJ KUMAR MANDAL S/O RAM SEVAK MANDAL Resident of Village-  
Bakmandal, P.S.- Baheria, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      20-04-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

241.72 litres of foreign liquor has been recovered from a truck. One person was apprehended at the spot who disclosed that petitioner is the driver of the said truck.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from conscious possession of the petitioner.



Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Petitioner is agree to deposit a sum of Rs.25,000/- (rupees twenty five thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-I, (Excise Act), Darbhanga in connection with Baheri P.S. Case No.390 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by



the learned court below on showing receipt of deposit of the  
aforesaid amount in Bihar State Bar Council Welfare Fund.

**(Anjani Kumar Sharan, J)**

S.KUMAR/-

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