

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72900 of 2023

Arising Out of PS. Case No.-183 Year-2023 Thana- DHORAIYA District- Banka

RAHUL KUMAR MANDAL, Son Of Upendra Mandal Resident Of Village-
Dubraj, Ps- Fullidumar, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate
For the State : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Special Excise Case No. 376 of 2023 arising out of Dhoraiya P.S. Case No. 183 of 2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, 357.12 liters of illicit foreign liquor has been recovered from a *Bolero* car.

4. Learned counsel for the petitioner submits that the petitioner is neither the owner nor the driver of the vehicle in question. No incriminating material has been recovered from the conscious physical possession of the petitioner and he has been falsely implicated in this case. Petitioner claims clean



antecedents.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Considering the rival submissions and aforesaid facts of the case, this pre-arrest bail petition is allowed.

7. Accordingly, in the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge- II, Banka, in connection with Special Excise Case No. 376 of 2023 arising out of Dhoraiya P.S. Case No. 183 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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