

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22461 of 2024**

Arising Out of PS. Case No.-815 Year-2023 Thana- Excise P.S. District- Araria

Ganga Mandal S/o Late Bandagi Lal Mandal @ Bandagi Lal R/o vill - Harira,  
Ward No. 1 (Tharu Tola), P.S. - Kursakanta, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate  
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      21-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Araria Excise P.S. Case  
No. 815 of 2023, instituted for the offences punishable under  
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 249 liters  
liquor was recovered from motorcycle and the petitioner was  
apprehended on spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. It is further



submitted that the petitioner is neither owner nor driver of the seized vehicle. The petitioner is in custody since 23.12.2023 and has got one criminal antecedent in which the petitioner is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria Excise P.S. Case No. 815 of 2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

