

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37372 of 2024

Arising Out of PS. Case No.-387 Year-2022 Thana- PHULPARAS District- Madhubani

Prashant Kumar Mandal, Male, aged about 23 years, Son of Pawan Mandal,
Resident of Village - Belha, P.S. - Phulparas, District - Madhubani.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 26-06-2024 Heard Mr. Jitendra Bharti, learned counsel appearing
on behalf of the petitioner and Mr. Damodar Prasad Tiwary,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Phulparas P.S. Case No. 387 of 2022 registered for the
offence(s) punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 12 litres of
Nepali country made liquor has been recovered from the straw
house of one petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has been
falsely implicated in this case. It is further submitted that
alleged recovery is from the straw hut of the petitioner and his



other family members, which is an open space and is easily accessible by anyone and he has no concern with the alleged recovered liquor. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 387 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force

Sanjay/-
Saurabh/-

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(Purnendu Singh, J)

