

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51026 of 2024**

Arising Out of PS. Case No.-137 Year-2023 Thana- DHANKUND District- Banka

Ravindar Kumar Mandal (Male aged about 30 years) son of Digambar Mandal, resident of Village- Chandnagar Nawada, P.S.- Naugachhia, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Om Prakash Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      21-08-2024                      Heard Mr. Om Prakash Singh, learned counsel appearing on behalf of the petitioner and Mr. Lakshmi Kant Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Dhankund P.S. Case No. 137 of 2023 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 39.750 litres of foreign liquor from a Toto vehicle bearing Registration No. BR10ER2972 registered in the name of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case due to local village politics. Petitioner has no



concern with the seized liquor nor he is involved in trade of liquor in any manner. Name of the petitioner has been dragged in the present case simply because he is the owner of the Toto vehicle from which the liquor was recovered. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the nature of allegation made in the FIR, as well as, petitioner has clean antecedent, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 Additional District & Sessions Judge-II-Cum-Special



Judge Excise Court-I at Banka, in connection with Dhankund P.S. Case No. 137 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

**(Purnendu Singh, J)**

Niraj/-

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