

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70998 of 2023**

Arising Out of PS. Case No.-551 Year-2023 Thana- Excise P.S. District- Madhepura

RAJESH MANDAL son of Sukhdev Mandal Village- Sukhashan W.No-3, Ps-  
Madhepura Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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

2      05-02-2024      Heard Mr. Ranjay Kumar Singh, learned counsel for the  
petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the  
State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable u/s 30 (a) of Bihar  
Prohibition and Excise Act, 2018.

3. Altogether 47.250 liters of foreign liquor is said to  
have been recovered from the spot and father of the petitioner  
was apprehended on the spot and he disclosed the name of the  
petitioner.

4. It is submitted by learned counsel for the petitioner  
that the petitioner is quite innocent and has committed no  
offence. He has been falsely implicated in this case due to  
ulterior motive. No incriminating article has been recovered



from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case on suspicion. Petitioner has no criminal antecedent.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 Court below, where the case is pending/Successor court, in connection with Madhepura Excise P.S. Case No.551 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Mahavir Cancer Sansthan.

**(Anjani Kumar Sharan, J)**

pallavi/-

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

