

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80918 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- BISFI District- Madhubani

Sudhir Mandal @ Sudhir Kumar Mandal, aged about 29 years, male, S/O
Late Sajjan Mandal, R/O Village- Simri, P.S- Bisfi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bisfi PS Case No.188 of 2024 dated 13.09.2024, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The allegation is of recovery of 3.600 litres
country-made liquor from the back of *Simri Hanuman* temple.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession or from the house of the
petitioner, rather, recovery has been made from the back of
Hanuman temple. It is further submitted that one more criminal



case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II cum Special Judge, Excise, Madhubani, in Bisfi PS Case No.188 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and



(iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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