

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12349 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- Sonki District- Darbhanga

1.

Dinesh Mandal @ Bhola Mandal Son of Ram Prasad Mandal @ Fakiri Mandal Resident of Village - Bhuiyan Asthan, Police Station - Sadar, District - Darbhanga
2.

Umesh Mandal Son of Ram Prasad Mandal @ Fakiri Mandal Resident of Village - Bhuiyan Asthan, Police Station - Sadar, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr.Nilendu Kumar Choudhary

For the Opposite Party/s

:

Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2

28-03-2025

1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.1, namely, Dinesh Mandal @ Bhola Mandal, as he was arrested during pendency of the anticipatory bail application.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.1, namely, Dinesh Mandal @ Bhola Mandal.

5. The petitioner no.2 seeks bail in anticipation of his



arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.

6. The learned counsel for the petitioner submits that the petitioner has antecedent of four cases and the allegation is of recovery of 180 litres of liquor from a place under a tree.

7. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even alleged recovery was made from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated based on secret information, which is the easiest way to implicate someone. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

8. Learned A.P.P. opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to



the satisfaction of the learned Special Judge-1, Excise Act, Darbhanga in connection with Sonki P. S. Case No.88 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

11. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than four cases, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of only four cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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