

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14109 of 2025

Arising Out of PS. Case No.-519 Year-2024 Thana- SUPAUL District- Supaul

Suchen Mandal S/O Chandeshwari Mandal, Resident of Village- Surkaha
Ward No. 12, P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patla Kumari, Advocate
For the State : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Supaul PS. Case No. 519 of 2024 dated 04.08.2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, two persons on motorcycle were coming and seeing the police, started fleeing away with pillion rider taking the dicky from the motorcycle and dicky was thrown by him. Thereafter, dicky was recovered containing two polythin bags with three liter illicit liquor each.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the place of recovery is open space, accessible to public. He further submits that there is no recovery from the conscious possession of the petitioner. He further submits that petitioner has nothing to do with the alleged recovery. He also submits that the name of the petitioner has been dragged in this case only on the basis of suspicion without any cogent evidence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.-I, Supaul in connection



with Supaul P. S. Case No. 519 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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