

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22687 of 2025

Arising Out of PS. Case No.-103 Year-2021 Thana- SAHARGHAT District- Madhubani

Pappu Kumar @ Pappu Kumar Mandal S/o Madan Mandal R/o village -
Kerwa Chauk , P.s.- Saharghat , District – Madhubani. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Ms.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Saharghat P.S. Case
No. 103 of 2021, registered for the offences punishable under
Sections 272, 273, 34 of Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 20.100 litres of IMFL/country made liquor from the
place of occurrence.

4. It is submitted by learned counsel that the name of
petitioner transpired with present case on the basis of disclosure
made by apprehended co-accused person. It is pointed out that



admittedly, as petitioner not apprehended on spot, it can be said safely that alleged recovery was not made from his conscious physical possession. Petitioner said to be involved in one more criminal case of similar nature.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani/concerned Court, where the case is pending in connection with Saharghat P.S. Case No. 103 of 2021, subject to the conditions as laid down under Section 482(2) of the BNSS, with further conditions:-

(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial



Court itself for the cancellation of bail bond of
the petitioner.

(Chandra Shekhar Jha, J)

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