

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23045 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- KURSAILA District- Katihar

Sanjay Mandal S/o Bhuneshwar Mandal, R/o- Maliniyan, P.S.-Kursela, Distt-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-04-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kursela P.S. Case No. 13 of 2025 dated 12.01.2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 102 litres of illicit country made liquor was recovered from the cartoon and bag loaded on the toto vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that nothing has been recovered from the conscious possession of the petitioner and



there is non-compliance with mandatory procedure prescribed for recovery under Section 100 of Cr.P.C. / Section 103 of BNSS, 2023. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 12.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Exclusive Excise Court No. 2, Katihar, in connection with **Kursela P.S. Case No. 13 of 2025.**

7. The application stands allowed.

(Chandra Prakash Singh, J)

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