

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23564 of 2025**

Arising Out of PS. Case No.-312 Year-2021 Thana- RANIGANJ District- Araria

Abhishek Kumar @ Abhishek Mandal S/o Kuldeep Mandal @ Kuldeep Kumar Mandal R/o Village- Pachira, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, A.P.P

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      30-04-2025                      Heard Learned Counsel for the petitioner and Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Raniganj P.S. Case No. 312 of 2021 lodged on 20.10.2021, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 72 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the petitioner's possession and his name has been figured in this case only by virtue of the disclosure made by co-accused. Counsel submits that the recovery of alleged liquor has been made from a vehicle and petitioner is neither driver nor owner of the said vehicle.



Counsel submits that the criminal antecedent of the petitioner is not clean as there are four cases pending against him in which he is on bail in all the cases.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are four cases pending against him and all the cases are relating to Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

**(Dr. Anshuman, J)**

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