

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29174 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- BIHPUR District- Bhagalpur

Devnarayan Mandal @ Devo Mandal S/O Medo Mandal R/O Village-
Dudhaila, P.S- Pasraha, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmatma Singh, Advocate
For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Bihpur P.S. Case No. 147 of 2024, dated
03.04.2024 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per allegation, 50 litre of illicit liquor has been
recovered from the *basa* (hut type structure), belonging to the
petitioner situated in Dudhaila Diayara near Thakurbari.

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 petitioner has no any hut type
structure in diyara near the land where that structure is claimed
to be existing. He further submits that the whole case is based



only on suspicion and there is no cogent material against the petitioner.

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 bail petition that the petitioner has one 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 concerned Court Below, in connection with Bihpur P.S. Case No. 147 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, 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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