

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36226 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- DUMRA District- Sitamarhi

Subodh Kumar @ Subodh Mandal S/o Kaushal Mandal @ Kaishal Mandal
R/o Vill.- Muradpur, Ward No. 11, P.S.- Dumra, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-06-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Dumra Police Station Case No. 168 of 2025, dated 16.04.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.
3. The prosecution case, as per the First Information Report, is that on 06.04.2025, the police for conducting raid reached near the house of the petitioner. On seeing the the police party one person, who was trying to flee away with a bag, was caught and arrested. The apprehend accused person disclosed his name as Kaushal Mandal. Upon search, the police recovered 18.3 liters of Nepali liquor.
4. Learned counsel for the petitioner submits that the



petitioner has been made accused merely because he happens to be the son of apprehended co-accused person, namely, Kaushal Mandal. He next submits that illicit liquor has not been recovered from conscious possession of the petitioner and/or from the premises belonging to him. Rather, illicit liquor has been recovered from Kaushal Mandal near his house. The petitioner has got no criminal antecedent.

5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is having no criminal antecedent, name of the petitioner has transpired merely because he happens to be the son of arrested co-accused person and illicit liquor has not been recovered from conscious possession of the petitioner, rather, the same has been recovered from arrested co-accused Kaushal Mandal, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each



to the satisfaction of the learned Exclusive Special Judge
I, Sitamarhi, in connection with Dumra Police Station
Case No. 168 of 2025, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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