

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35937 of 2025

Arising Out of PS. Case No.-636 Year-2023 Thana- SULTANGANJ District- Bhagalpur

1. Sunil Kumar Mandal S/o- Chhanguri Mandal Village- Kalyanpur Motichak, Ps- Sultanganj, District- Bhagalpur.
2. Bebi Devi W/o- Sunil Kumar Mandal Village- Kalyanpur Motichak, Ps- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Sultanganj P.S. Case No. 636/2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 35 liter country made liquor from the house of co-accused Chhanguri Mandal. Apprehended co-accused Chhanguri Mandal disclosed the name of petitioners who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence as alleged in the FIR. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioners bear no criminal antecedent. No incriminating article has been recovered from the possession of the petitioners. The petitioners have no concern with the seized liquor. He further submits that petitioners are son and daughter-in-law of co-accused Chhanguri Mandal and they are residing separately from the said co-accused. The petitioners are not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XII cum Special Excise Judge-II, Bhagalpur in connection with Sultanganj P.S. Case No. 636/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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