

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35339 of 2025**

Arising Out of PS. Case No.-5 Year-2025 Thana- JHANJHARPUR District- Madhubani

Raushan Mandal S/o Shivcharan Mandal R/o Village- Sukhet, P.S.-  
Jhanjharpur, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      25-07-2025                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 274, 275 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 288 litres of Nepali country made liquor was recovered by the side of Dam.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has falsely been implicated in this case merely on suspicion. The alleged illicit liquor has been recovered from an open place,



which is accessible to one and all.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of illicit liquor was recovered. Petitioner has got two criminal antecedents of similar nature.

6. Considering the nature of accusation, recovery of huge quantity of illicit liquor and fact that petitioner has got two criminal antecedents of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

**(Prabhat Kumar Singh, J)**

Neha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

