

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37216 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- Rangara District- Bhagalpur

Sunil Mandal S/O Late Ram Mandal Village- Maharajmandal Tola, P.S.-
Rangra, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Rangra P.S. Case No. 75 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 14.04.2025 by the informant, Ashutosh Kumar.

3. As per the prosecution story, the informant alleged that upon information, a boat was intercepted though some of the accused tried to escape but one Umesh Mandal was apprehended and there is recovery/seizure of altogether 141 liters of foreign liquor. Umesh Mandal gave the name of the petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, in the presence of the Police, he has been implicated allegedly claiming that Umesh Mandal has



confessed his name. He has no role to play in the matter nor the boat belongs to him. The last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.15,000/- to the District Legal Services Authority, Bhagalpur for purchase of journals/ (Bare Act) through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

5. Learned APP opposes the prayer submitting that the apprehended person has named him.

6. Considering the submissions of the parties as also the fact that nothing has been recovered from his conscious possession nor the boat belongs to him, FIR lodged, he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 15,000/- to the District Legal Services Authority, Bhagalpur for purchase of journals/ (Bare Act) through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted before the Trial Court.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Rangra P.S. Case No. 75 of 2025 to the satisfaction of learned District & Additional Sessions Judge-IX, Bhagalpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. Let a copy of this order be communicated to the learned Principal District and Sessions Judge, Bhagalpur for his perusal and needful.

(Rajiv Roy, J)

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