

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47207 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- GORADIH District- Bhagalpur

Abhay Mandal @ Ajay Kumar @ Abhay Kumar S/o Binod Mandal @ Bindo Mandal R/o Village- Satjori, P.S.- Goradih, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 30-07-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Goradih P.S. Case No.58 of 2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the total recovery of 12 litres of illicit liquor have been alleged to be made from a motorcycle, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the spot and his name has been transpired only by virtue of confessional statement of chowkidar, who has inimical relation with him.



Counsel further submits that criminal antecedent of the petitioner is clean. He further submits that the the said recovery has not been made from conscious possession of the petitioner and the said motorcycle does not belong to petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of District and Addl. Sessions Judge-12-cum-Special Excise Judge-2, Bhagalpur, in connection with Goradih P.S. Case No.58 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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