

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43444 of 2025

Arising Out of PS. Case No.-637 Year-2018 Thana- SAHAYAK NAGAR District- Katihar

Arun Mandal S/O Late Mangan Mandal R/O Premnagar, Dandkhora, P.S-
Dandkhora, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nagar
Sahayak P.S. Case No. 637 of 2018 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
total 50 liters of illicit country-made liquor from the Scooty.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. rather



the F.I.R. has been instituted against the owner of the alleged two wheeler bearing Regd. No. BR-39U-6456. There is no specific allegation against the petitioner of carrying the wine in the alleged two wheeler. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has no concern either with the seized wine or the seized Scooty. The petitioner has already sold the alleged vehicle to another person in the year 2017 itself. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedent and is languishing in judicial custody since 09.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the



petitioner let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nagar Sahayak P.S. Case No. 637 of 2018.

(Rudra Prakash Mishra, J)

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