

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43912 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- KUWARI District- Araria

Prakash Mandal S/o Late Fuleshvar Mandal Resident of village - Biri Baiga,
Ward no. 6, P.S. - Bardagh, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

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

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

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kuwari
P.S. Case No. 48 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 90 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that the name of the petitioner has transpired in this case merely
because he happens to be the owner of the vehicle and he had no



knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 26.04.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No. 76033 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Kuwari P.S. Case No. 48 of 2024.

(Rudra Prakash Mishra, J)

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