

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46365 of 2025**

Arising Out of PS. Case No.-241 Year-2024 Thana- KURSAILA District- Katihar

Hero Mandal @ Hir Mandal @ Hir Kumar Mandal S/O Anuj Mandal
Resident of Village- Chany Tola (Chay Tola), Khatiaha Badh, P.S- Kursela,
Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Rahmatullah, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in
connection with Kursela P.S. Case No. 241 of 2024 registered
for the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. Prosecution case in a nutshell is that total 96
liters foreign liquor was recovered from the Car.

4. Learned counsel for the petitioner submit that the
petitioner is innocent and have committed no offence as
alleged against them and has falsely been implicated in the
present case. No incriminating material has been recovered



from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery of liquor. The petitioner is not named in the F.I.R. and has been implicated in this case on the basis of the disclosures made by the vehicle owner. It is next submitted that petitioner has one criminal antecedent. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 18-03-2025 passed in Cr. Misc. No. 16184 of 2025. Co-accused have also been granted anticipatory bail by this Court vide order dated 25.06.2025 passed in Cr. Misc. No. 36499 of 2025.

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. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned court below
where the case is pending/successor court in connection with
Kursela P.S. Case No. 241 of 2024, subject to the conditions
as laid down under Section 482(2) of the B.N.S.S., 2023.

(Rudra Prakash Mishra, J)

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