

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52156 of 2025

Arising Out of PS. Case No.-423 Year-2024 Thana- Excise P.S. District- Banka

Ghanshyam Mandal S/o Ram Chandra Mandal R/o Village- Tardih, P.S.-
Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Banka Excise P.S. Case No. 423/2024 registered on 06.10.2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution, a total recovery of 9 liters illicit country made liquor 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. It is contended that nothing has been recovered from the conscious possession of the petitioner; however, he has been made an accused in the present case solely on the ground that he is the registered owner of the vehicle from which the alleged recovery



was made. It is further submitted that the petitioner has no connection whatsoever with the alleged liquor. In good faith, he had lent his motorcycle to his brother, who misused it for carrying illicit liquor without the petitioner's knowledge. The petitioner also has a clean criminal antecedent.

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

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the Exclusive Special Judge, Excise-II, Banka, in connection with Banka Excise P.S. Case No. 423/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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