

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53766 of 2025

Arising Out of PS. Case No.-470 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Rakesh Kumar @ Gorakh Mandal Son of Om Prakash Mandal Resident of
Village-Chunabhatti, Police Station- University, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, 90 litres of Nepali country
made liquor was recovered from the roadside.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. No incriminating article has been
recovered from conscious possession of this petitioner and he
has falsely been implicated in this case merely on suspicion. The
alleged illicit liquor has been recovered from an open place,
which is accessible to one and all. Petitioner claims clean



antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-I, (Excise Act), Darbhanga in connection with P.R. No. 01 of 2021, G.O. Case No. 470 of 2021, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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