

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54607 of 2025

Arising Out of PS. Case No.-319 Year-2025 Thana- EXCISE KAHALGAON District-
Bhagalpur

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1. Amit Kumar Mandal S/O Anandi Mandal R/O village - Pannuchak, P.S. - Ghogha, Dist. - Bhagalpur
 2. Subodh Mandal S/O Late Rameshwar Mandal R/O village - Pannuchak, P.S. - Ghogha, Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

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

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Excise (Kahalgaon) P.S.
case No. 319 of 2025 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 88 liters
liquor was recovered from two plastic sacks.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioners. The petitioners
have got no concern with the alleged recovery of liquor. It is



further submitted that recovery is made from an open place accessible to one and all. The petitioners are not indulged in business of illicit liquor. The petitioners are in custody since 20.06.2025. The petitioner No. 1 has got one criminal antecedent while petitioner No. 2 has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Kahalgaon) P.S. case No. 319 of 2025.

(Rudra Prakash Mishra, J)

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