

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59206 of 2025

Arising Out of PS. Case No.-299 Year-2025 Thana- JANDAHA District- Vaishali

Surendra Mandal S/o Dukharan Mandal @ Dukhharan Mandal R/o Village-
Marue, P.S.- Mahisaur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information,
pickup vehicle and XUV car were intercepted. Three persons
were sitting inside the pickup vehicle and also three persons
were sitting inside the XUV car. 531 litres of Indian made
foreign liquor was recovered from the pickup van whereas 90
litres Indian made foreign liquor was recovered from the XUV
car. The petitioner, who was apprehended on the spot, was
sitting in XUV car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. Petitioner was passerby and on suspicion he was apprehended. Nothing has been recovered from conscious possession of the petitioner. Petitioner has no concern either with the seized liquor or the vehicles in question. There is no independent witness of the seizure list. Similarly situated co-accused, namely, Raushan Kumar has already been granted regular bail by a Coordinate Bench of this Court vide order dated 14.08.2025 passed in Cr. Misc. No.55599 of 2025. Charge sheet has already been submitted after investigation and there is no chance of tampering with the evidence or absconding of the petitioner. Petitioner has three criminal antecedents in which he is on bail. Petitioner is in jail since 13.07.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case as well as the submissions of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Jandaha (Mahisaur) P.S. No.299 of 2025 subject to the following conditions:-



(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the learned Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bond.

(Sunil Dutta Mishra, J)

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