

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58871 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- KURSAILA District- Katihar

1. Raja Kumar S/o Sikandar Mandal, R/o Maliniya, PS- Kursela, Distt- Katihar.
2. Shashi Kumar Mandal @ Ankit Kumar S/o Jai Prakash Mandal, R/o Maliniya, P.S.- Kursela, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party/s : Ms. Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Kursela P.S. Case No.124 of 2025 instituted under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 105 litre country made liquor from the TOTO E-rickshaw without registration number therein and the co-accused was apprehended on the spot who disclosed that the seized liquor belongs to the petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners are neither owner nor driver of the seized TOTO and they have no concern with



the seized liquor. Learned counsel submits that petitioners were not present on the spot and no incriminating article has been recovered from their conscious possession. Learned counsel submits that petitioner no.1 has one criminal antecedent and petitioner no.2 has got clean antecedent and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioners be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Katihar in connection with Kursela P.S. Case No.124 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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