

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59509 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- TIKAPATTI District- Purnia

Rajesh Mandal @ Rajesh Kumar S/O Sri Subodh Kumar Mandal @ Subodh
Mandal R/O Village- Chandpur Tola, Tikapatti, P.S- Pothiya, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Arti Kumari, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard Mrs. Arti Kumari, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Tikapatti P.S. Case No. 103 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 05.07.2025 by the informant, Priyatam Kumar.

3. As per the prosecution story, the informant alleged that during patrolling and on secret information, the Police reached the place of Uday Mandal and Rajesh Mandal. They managed to escape but from one of the rooms, there is recovery/seizure of five liters of country made wine while away from it, 35 liters of country made wine recovered/seized. This led to the FIR.

4. Learned counsel for the petitioner submits that he has nothing to do with the said house nor anything has been



recovered from his conscious possession. He do not have criminal antecedent. Further, he granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also nothing has been recovered from his conscious possession, an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Tikapatti P.S. Case No. 103 of 2025 to the satisfaction of learned Exclusive Special Judge Excise, Court No.2, Purnea subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

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

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. Before parting, this Court would like to put on record its word of appreciation for Mrs. Arti Kumari, learned counsel for the petitioner for the proper assistance rendered by her.

(Rajiv Roy, J)

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