

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62222 of 2025

Arising Out of PS. Case No.-189 Year-2025 Thana- Excise P.S. District- Madhepura

Ramesh Kumar Son of Brahmadev Mandal @ Brahmhdev Mandal R/O
Village- Ekdarha (Akdehra) Ward No.11, P.S.- Singheshwar Distt.-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-09-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Madhepura Police Station Case No. 189 of 2025, dated 23.07.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as 'the Act').
3. The prosecution story, as per the First Information Report, is that on 23.07.2025, the police, on secret information that the petitioner and other co-accused persons were allegedly dealing in illicit liquor, reached at the place at Ekdarha, Ward No. 11, Singheshwar, Madhepura. On seeing the police, the two person tried to flee away, but



were apprehended, who disclosed their names as Umesh Kumar and Brahmdev Mandal. Upon search, 120 litres of country-made liquor and 7.500 litres of foreign liquor were recovered from their possession. It has further been disclosed on enquiry by the arrested co-accused persons that the petitioner used to bring foreign liquor who fled away after seeing the police party.

4. Learned counsel for the petitioner submits that the petitioner is having clean antecedent and has not committed any offence in the manner alleged. The petitioner has been made accused on the basis of disclosure of his name by the arrested co-accused persons, who are his brother and father, namely, Umesh Kumar and Brahmdev Mandal, respectively. He further submits that illicit liquor has not been recovered from conscious possession of the petitioner and the petitioner has no concern with illicit liquor recovered from the possession of arrested co-accused persons.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is not having any criminal antecedent and illicit liquor has been recovered from conscious possession of the arrested



co-accused persons, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge VII -cum- Special Judge, Excise-II, Madhepura, in connection with Madhepura Excise Police Station Case No. 189 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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