

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76091 of 2024**

Arising Out of PS. Case No.-93 Year-2024 Thana- BARIYARPUR District- Munger

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Amit Mandal @ Amit Kumar @ Amit Kumar Mandal Son of Umesh Mandal  
@ Umesh Mandal Sahni Resident of Village- Prem Tola, PS- Bariarpur,  
Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate  
For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

4      15-09-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered  
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on the basis of secret  
information, 62.250 litres of illicit foreign liquor was recovered  
near bank of river. On seeing the police party, the accused  
persons were managed to flee away from the spot. Local  
*choukidar* identified this petitioner as one of the escaped  
persons.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this  
case due to local politics. The alleged recovery has been made  
from an open place easily accessible to one and all. It is  
submitted that petitioner was not present on the spot. Petitioner



has no concern with the seized illicit liquor. Nothing has been recovered from the conscious possession of the petitioner. There is no independent witness on the seizure list. Except the disclosure statement of local *chaukidar*, there is nothing material against the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1, Munger in connection with Bariarpur P.S. Case No. 93 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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