

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69845 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- FULKAHA District- Araria

Naresh Kumar Mandal, Son of Kalanand Mandal, Resident of Village-
Manikpur, P.S.- Fulkaha, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Fulkaha P.S. Case No. 107 of 2025 registered for the alleged offence under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, police received information about co-accused Pawan Kumar Yadav keeping the consignment of illicit liquor in his house. A raid was conducted and four persons tried to escape on seeing the police party. This petitioner was apprehended and other three co-accused persons fled away from the spot. At the instance of the petitioner, recovery of total 324 liters of illicit liquor was made from a bamboo-clump.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The alleged recovery has been made from an open place situated behind the house of co-accused Pawan Kumar Yadav. The petitioner has no concern with the said place or the illicit liquor recovered. The petitioner is merely a porter and has no knowledge about the consignment kept by the co-accused. The petitioner is in custody since 02.08.2025 and is having antecedent of one case and he is on bail in such case.

5. Learned APP for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Araria/court concerned in connection with Fulkaha P.S. Case



No. 107 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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