

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84270 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Dinesh Mandal son of Ram Narayan Mandal Resident of Village-
Bhutaha, Auraha, Ward no. 4, ps- Narhiya, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Excise, Jhanjharpur P.S. Case No. 165 of 2025, F.I.R dated 05.10.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, Excise Inspector Pankaj Kumar has given a typed petition to S.H.O. Excise P.S. Jhanjharpur on 05.10.2025 at 05:05 P.M that he got a secret information of liquor is being sold in a gas shop located beside Lukman garage at Bhutaha Chowk belongs to one *Dinesh Mandal*.

4. Learned counsel for the petitioner submits that the



recovery to the tune of 10.800 litres of Nepali country-made liquor is said to be kept in the bag, which was found lying in front of the gas godown of the petitioner. The petitioner is no way connected with the seized materials. The name of this petitioner has transpired on the basis of secret information. There is no independent witness to the seizure material, which is said to have been made in the instant case, and this petitioner has clean antecedent, and due to dirty local politics, the local persons have given the name of this petitioner to implicate him for ulterior reasons. This petitioner is a man of means and is ready to abide by terms and conditions of anticipatory bail in case such privilege is extended in his favour.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and considering the aforesaid fact, this petitioner has clean antecedent and the recovery is made from the bag lying in front of the house, which is an open place, and is accessible to general public, accordingly, this Court is inclined to grant anticipatory bail to



the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Jhanjharpur (Madhubani) in connection with Excise, Jhanjharpur P.S. Case No. 165 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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