

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83163 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Raju Mandal @ Raju Kumar Mandal Son of Dinesh Mandal @ Dinesh Kumar Resident of Village- Ward No. 4, Majrahiya, P.S.- Shivajinagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Shivajinagar P.S. Case No. 74 of 2025, dated 26.09.2025, registered for the offences punishable under Sections 336(3), 274, 275 and 3(5) of B.N.S., 2023 and Sections 30(a) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, the police had secret information that the petitioner and co-accused/Rambalak Mandal and seven unknown persons do trade of illicit liquor and they bring illicit liquor in orchard situated in the Parsa village and stealthily sell it. As per further case of the police, when they reached the said orchard, 10-12 persons were unloading the illicit liquor and



seeing the police, they fled away and despite the efforts of the police, they were successful to flee away. But on search, 1330.2 litre of illicit liquor was recovered from the pick-up van bearing Registration No. BR-31G-7338.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case on the basis of suspicion on account of four similar criminal antecedents, whereas he has nothing to do with the alleged offence. He further submits that the petitioner is neither the owner of the seized contraband, nor is he owner of the vehicle involved in the alleged offence, nor was he driving it. He further submits that no *prima facie* case is made out against the petitioner and hence, the present anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has four criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances,



this petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Shivajinagar P.S. Case No. 74 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Shoaib/Ravi Shankar

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