

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1678 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- JAYNAGAR District- Madhubani

1. Lalit Kumar Mandal@Lalit Mandal S/O Fulay Mandal Resident of Village-Dulipatti, Ward No. 5, P.S.- Jaynagar, District- Madhuabani
2. Sujit Mandal @ Sujit Kumar Mandal S/O Fulay Mandal Resident of Village-Dulipatti, Ward No. 5, P.S.- Jaynagar, District- Madhuabani
3. Roushan Kumar Mandal@Raushan Kumar S/O Dhanik Lal Mandal Resident of Village- Dulipatti, Ward No. 5, P.S.- Jaynagar, District- Madhuabani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, app

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-02-2025 Petition for pre-arrest bail of petitioner no.1 has already been dismissed as withdrawn.

2. Heard learned counsel for the petitioners no. 2 and 3 and the State.

3. Petitioners apprehend arrest in a case registered for the offence punishable under section 30a of the Bihar Prohibition Act.

4. As per the prosecution case, 18.400 liters illicit liquor was recovered from the house of the petitioner no.3.

5. Since there is recovery of illicit liquor from the house of the petitioner no.3, his pre-arrest bail petition is not maintainable in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav vs. The State of Bihar** reported in **2019(2) P.L.J.R. 1089 (F.B.)**. It is accordingly dismissed.



6. Considering the fact that there is no recovery from the house of petitioner no.2 and he has got no criminal antecedent of the similar nature, prayer for bail of petitioner no.2 is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in Jaynagar Police Station Case No. 321 of 2024/GR No. 1546 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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