

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15063 of 2026

Arising Out of PS. Case No.-197 Year-2025 Thana- LAUKAHA District- Madhubani

1. Bechan Mandal @ Vechan Mandal S/O Brihaspati Mandal R/O Vill.- Chanipur, P.S- Laukaha, Dist.- Madhubani
2. Krishna Deo Mandal S/O Late Mushan Mandal R/O Vill.- Chanipur, P.S- Laukaha, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baleshwar Kamat, Advocate
For the State	:	Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-03-2026 Heard Mr. Baleshwar Kamat, learned counsel for the petitioners and Mr. Shyam Bihari Singh, learned APP for the State.

2. Petitioners seek bail, who are in custody since 10.12.2025, in connection with Laukaha P.S. Case No. 197 of 2025, F.I.R. dated 09.12.2025 registered for the offences punishable under Sections 274, 275, 3(5) of the B.N.S. and Sections 30(a)/41(1) of the Bihar Excise and Prohibition Act.

3. Recovery is of 540 litres of *Nepali country made* liquor.

4. Learned counsel for the petitioners submits that the petitioner no. 2 having clean antecedent and petitioner no. 1 carries one more case other than the present one in which he is on bail in the pending matter. He further submits that the allegation



as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioners rather recovery has been made from the car in question and petitioners are not the owner of the car in question. He further submits that there is non-compliance of Section 103 of BNSS, 2023 and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 10.12.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioners and there is non-compliance of Section 103 of the BNSS, 2023, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur Civil Court, Madhubani in connection with Laukaha P.S. Case No. 197 of 2025 corresponding to G.R. No. 763 of 2025, subject to the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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