

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20935 of 2026

Arising Out of PS. Case No.-15 Year-2026 Thana- Nehra District- Darbhanga

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Krishna Kumar Mandal S/o Mahendra Mandal R/o Village- Kalapatti
(Jhakrahi Tola), P.S.- Phulparas, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Kumar Praveen, learned counsel for the

petitioner and Mr. Sanjay Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.01.2026 in connection with Nehra P.S. Case No. 15 of 2026,
F.I.R. dated 30.01.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act and
Section 78 of the J.J. Act, 2015.

3. Recovery is of 239.400 liters of Nepali country
made liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that nothing has been



recovered from the conscious possession of the petitioner rather the recovery of 239.400 liters of illicit liquor has been made from the tempo in question. He further submits that the petitioner is not the owner of the said vehicle in question. There is non-compliance of section 103/105 of the BNSS, 2023. He further submits that the similarly situated co-accused, namely, Babu Narayan Mandal has been granted regular bail vide order dated 12.03.2026 passed in Cr. Misc. No. 15697 of 2026 by a Co-ordinate Bench of this Court. The petitioner is in custody since 30.01.2026.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court and there is non-compliance of Section 103/105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-II (Excise Act) Darbhanga in connection with Nehra P.S. Case No. 15 of 2026, subject to the following conditions:-



i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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