

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23678 of 2026

Arising Out of PS. Case No.-499 Year-2025 Thana- Excise P.S. District- Kishanganj

Pramod Mandal S/o- Subhash Mandal R/v- Godhiyari Rampur Parhat Ps-
Rupauli District-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2026 Heard Mr. Ram Prawesh Kumar, learned counsel for
the petitioner and Mr. Shyam Bihari Singh, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
09.03.2026, in connection with Madya Nisedhy P.S. Case No.
499 of 2025 corresponding to Special Case No. 513 of 2025,
F.I.R. dated 09.09.2025 registered for the offences punishable
under Sections 30(a) and 32(3) of the Bihar Prohibition &
Excise Act.

3. Recovery is of 44 litres of *foreign* liquor.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. As per allegation in the F.I.R.
that the recovery has been made from the vehicle in question



and petitioner has been made accused merely on the ground that the petitioner is the owner of the vehicle in question. He further submits that altogether 44 litres of foreign liquor was recovered from the vehicle in question and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 09.03.2026.

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

6. Considering the facts and circumstances of the case and the fact that petitioner having clean antecedent and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise -II, Kishanganj in connection with Madya Nisedh P.S. Case No. 499 of 2025 corresponding to Special Case No. 513 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, 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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