

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21313 of 2026

Arising Out of PS. Case No.-50 Year-2025 Thana- SIKTI District- Araria

Chandan Mandal @ Chandan Kumar Mandal @ Chandan Kumar S/o Harihar Prasad Mandal Resident of village - Babhangama, P.S - Terhagachh, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2026 Heard Mr. Mukesh Kumar Rana, learned counsel appearing on behalf of the petitioner and Mr. Md. Iftekhar Mahmood, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sikty P.S. case no. 50/2025 registered for the offence punishable under Sections 30(a), 32(2), 32(3), 41 of Bihar Prohibition and Excise Act-2022 (as amended upto date).

3. As per the allegation made in the FIR, 8.100 litres of country made liquor was recovered from a motorcycle bearing Reg. No. BR37AG-2559.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in the case. He has no concern either with the



seized liquor or trade of liquor in any manner. 1.6 liters of Nepali liquor was recovered from the co-accused and 6.300 liters from the seized motorcycle (total 8.100 liters). The petitioner is not named in the F.I.R. and his name surfaced only during investigation as the registered owner of the motorcycle bearing Reg. No. BR37AG-2559. The petitioner was neither apprehended at the spot nor was anything recovered from his possession. He had given the motorcycle to a mechanic for repair and had no knowledge of the alleged recovery. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner, as well as, the aforesaid facts and circumstances, it appears that the petitioner is not named in the F.I.R. and his implication has surfaced only during the course of investigation on the basis of being the registered owner of the seized motorcycle. No recovery has been made from his conscious possession and he was not apprehended at the place of occurrence. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.



7. The petitioner, above named, having clean antecedent, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending/successor court in connection with /Sikty P.S. case no. 50/2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C./482 of the BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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